



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M1650

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

Roll 40

Cherokee Applications 3100 - 3235

The National Archives
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APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names

of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

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3100

Nation's No. 1048.

Commission's No. .....

In re Application of

Riley Blevins, et al.

Demurrer and Answer.

22 1906.

[illegible] LEMMON.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Riley Blevins, et al. Nation's No. 1048.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Ned Sizemore ..... through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. ..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16 day of Sept. 1896.

N. F. Vail

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Riley Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wesley Blevins, Alfred Price, Wm Price, Samuel Davis, Wm A. Lewis J. N. Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. H. Dibbles Notary Public

My Commission Expires Mar. 7 1900.

Wiley & Blevins



STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal
said Court, this 19th day of August 1890.

..... Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizen-ship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. L. Dobbins, Notary Public.

My commission expires Mar 5th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the under-signed Notary Public in and for the Northern District of the Indian Territory, personally appeared J. P. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bare, in said County, and that he is personally acquainted with Riley C. Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Riley C. Blevins is the identical person he represents himself to be in h application for citizenship in said Nation, and that he has known the said applicant for the past 25 years and knows that he is and has been recognized and treated by h neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. P. Baldwin

Subscribed and sworn to before me this 3 day of September, A. D., 1896.

W. A. Tibbetts, Notary Public.

My Commission expires, March 7, 1900.

2830 Riley Blevins

Riley Blevins
Claimant
To Cherokee Indian
Rights in
Po. Eye N. C.

(Dr's mare pointer)
Filed Sept 8th 1896
Wm. Lacowsy
Secy

John Baldwin
Silas Cook
NC

2830 Riley Blevins

Riley Blevins
Claimant
vs Cherokee Indian
Settlers in
Po. Eye N. C.

(Sworn papers)
Filed Sept 8th 1896
Wm. Dacoway
Clerk
By
John Baldwin
Silas Brock
Wit

Pictorial Memorial
[illegible] Citizenship

[illegible]

[illegible]

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ..... Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1890.

..... Clerk Superior Court

End

3101

Nation's No.

Commissioner's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of Application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent therefore prays that said application be dismissed, or that in passing upon the same or answer to said application, says that

the person whom the petitioner claims to derive right to citizenship in the Cherokee Nation is now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory as at present located and defined; that this name does not appear on the authenticated rolls of said Nation; that neither he nor any of his ancestors ever resided, or ever claimed to reside in the Cherokee Nation, and Indian Territory, as citizens thereof.

Wherefore, your respondent asks that he be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By , Attorneys.

John L. Adair, Executive Secretary Cherokee Nation, being first duly sworn, states that the matters and things in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Wesley Anderson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wesley Anderson, Samuel Davis, Abner Price, Wm. Price, Wm. A. Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

J. N. Baldwin

Subscribed and sworn to before me this the 4th day of September, 1896.

W. A. Davis Notary Public

My commission expires Nov. 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To [illegible]

Your petitioner, [illegible] earnestly and respectfully represents that she is [illegible] Cherokee Indian by blood, deriving the same from her lineal ancestor, the late [illegible] through [illegible]

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Mary [illegible], age [illegible] years, residence [illegible] Co. in the State of [illegible], postoffice address [illegible], [illegible] County of [illegible] State of [illegible], occupation that of a

Most Respectfully Submitted,

Mary A her Wagoner [SEAL.]
mark

Attesting witnesses,

J. D. Hall [SEAL.]
A. J. Davis [SEAL.]

STATE OF [illegible] }
COUNTY OF [illegible] } ss.

Personally appeared before me, a [illegible] for said county in the State aforesaid, [illegible] the petitioner in the above [illegible] for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A. who after being [illegible] sworn according to law states that the facts set forth in her said petition above are true as stated therein this the [illegible] day of [illegible] 189[illegible]

Mary A her Wagoner [SEAL.]
mark

Attesting witnesses,

J. D. Hall [SEAL.]
A. J. Davis [SEAL.]

Sworn to and sworn to before me, a [illegible] as aforesaid, on this [illegible] day of [illegible] 189[illegible] and I do certify that I am personally acquainted with the [illegible] the said petitioner and know that [illegible] is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the [illegible] said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. O. Queen

No. 10½.—PROBATE—CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY. Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA,

Wilkes County. } ss.

The foregoing Certificate of J. C. [illegible] a Justice of the Peace of Wilkes County, is adjudged to be correct; and I, A. M. Vannoy, Clerk of the Superior Court of said County, do hereby certify that J. C. Queen was, at the time of signing the foregoing Certificate, a Justice of the Peace in and for the County of Wilkes, and State of North Carolina, and that his signature thereto is in his own proper handwriting.

In Witness Whereof, I hereunto subscribe my name and affix my official seal, this 5 day of Aug A. D. 189 6

A. M. Vannoy
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF .....
COUNTY OF ..... } ss

On this, the ... day of ..... A. D. 189.., personally before me.....
..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..... aged ..... years, a resident of .....
county, and State of ....., whose postoffice is ....., who after being duly sworn according to law, says that he is ..... Indian by ..... and a claimant for ..... Indian citizenship. Affiant further says on oath

and is a direct lineal descendant of the ..... family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said ..... to be of Cherokee Indian blood and were members of the ..... tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a ..... Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of ..... Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of ..... Indian blood ..... and Cherokee and at least one-..... Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Mary Ann Wagner

Subscribed and sworn to before me, this ... day of .....
A. D. 189.., and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

J. O. Ouinn

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On the 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 70 years, who, postoffice address Crumpler, Ashe county, N. C., and being first duly sworn, on his oath says that he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, about some several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C. that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintance; that said Sizemore died in Ashe county, N. C. and had a numerous family of sons and daughters, one son Owen who also the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have been a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who was the mother of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; and Ned Sizemore also had other sons and daughters and said Catharine Hart, the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given under my hand this 19th, Aug. 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant at the signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Be it remembered, that on this 19th day of August, A. D. 1896, before me, the undersigned Justice of the Peace in and for the county of Ashe, at the State aforesaid personally appeared Wilson Price, a citizen of said county and state, who being first duly sworn, on his oath says that he is well acquainted with Alfred Price, who resides in Watauga county, N. C. and has been for [illegible] years last past; that he is a man of truth and veracity, and that he has no interest in the claim of Ned Sizemore for citizenship in the Cherokee Nation, I. T. that he has known said Alfred Price for [illegible] years last past, and knows him to be a full blood Cherokee Indian; that he knew Ned Sizemore who was a full blood Cherokee Indian, and was so treated and regarded by his neighbors and acquaintance in Ashe county, N. C. that said Ned Sizemore had many children, two of whom, [illegible] Sizemore, a daughter, married James Blevins, and was the mother of James, Eli, George, Wells Blevins, from whom have been a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who was the mother of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; and Ned Sizemore also had other sons and daughters and said Catharine Hart, the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore for citizenship in the Cherokee Nation, I. T.

Given, under my hand this 19th day of August, A. D. 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed, sworn to and acknowledged before me this 19th day of August, A. D. 1896, and I certify that I am well acquainted with the said Wilson Price and believe him to be a person of truth and veracity.

Given under my hand this day and date first above written.

[Signed] M. C. HAGAN, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated to it as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Western enrollment.

Affiant further states that he knew one James Hart, whom he believe to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Asheville, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M Hobbs, Notary Public.

My commission expires March 9, 1900

#2841

L

IN THE MATTER OF

Po Hatteras Inlet N.C.

(Spruce pine)

Filed Apr 8th 1896

W. M. Jacoway

Dep Clk

Ryers

pet. in Dredging

Silas Bond

Rec

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared C. Newton Price who after being by me duly sworn states that he is 36 years of age and a citizen of Ashe County, and State North Carolina and that he is personally acquainted with Mary A. Wagoner, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Mary A. Wagoner is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Mary A. Wagoner is a daughter of Owen Wagoner who was a son of Charlotte Wagoner who was a daughter of Brian Sims who was a son of Ned Seymour, who was a Cherokee Indian by the full blood

Affiant further states that he is known the said Mary A. Wagoner for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the people generally of the community in which she lives as an Indian by blood and that the complexion, physical appearance, language and habits of the said Mary A. Wagoner indicate that the said Mary A. Wagoner is of Indian blood. That from the facts and circumstances and from statements made to him by the said Mary A. Wagoner affiant states he has every reason to believe and does believe that the said Mary A. Wagoner is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Mary A. Wagoner to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Mary A. Wagoner

C. Newton X Price
mark

Subscribed and sworn to before me, this 17 day of August A. D. 1896, and I further certify that I am well acquainted with the said C. Newton Price and know h[illegible] to be a person of truthfulness and of truth and veracity.

[illegible] McBride J.P.

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17th day of August 1896.

[illegible]
Clerk Superior Court.

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End

Nation's No.

Commission's No.

In re Application of

/

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy, and no legal right to the relief prayed for in the petition.

2nd. That the petitioner has not stated facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent now having fully answered and demurred to said petition, and standing upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, was not born a citizen of the Cherokee Nation, since [illegible] Nation, and that [illegible] was at present located and defined; that his name does not appear upon any authorized roll of said Nation; that neither he nor any of his ancestors now living, or ever have been, recognized by the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Sworn to and subscribed before me this, the [illegible] day of September, 1896.

W. H. Dibbles Notary Public

My Commission expires [illegible], 1900.



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PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ... earnestly and respectfully represents that he is .....

..... Cherokee Indian by blood deriving the same from his lineal ancestor, the late .....

..... through .....

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is John Lemm ..... age ..... years, residence ..... in the State of ..... postoffice address ..... County of ..... Stateof ..... occupation that of a .....

Attesting witnesses.

Most Respectfully Submitted.

.....[SEAL.]

.....[SEAL.]

.....[SEAL.]

STATE OF .....

COUNTY OF .....

Personally appeared before me, a ..... in and for said county in the State aforesaid, ... the petitioner ..... the above petition, for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A. who after being duly sworn according to law states that the facts set forth in ..... said petition above are true as stated therein, this the ..... day of ..... 189..

[SEAL.]

Attesting witnesses,

SEAL.]

SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this ..... day of ..... 189.., and I do certify that I am personally acquainted with ..... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss

I, DEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1896.

..... Clerk Superior Court.

POOR ORIGINAL
BEST AVAILABLE COPY

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

OF ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF .....

State of .....
County of .....

On this, the ..... day of ..... A. D. 189.., personally before me.....
..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ....., aged ..... years, a resident of .....
county and State of ....., whose postoffice is ....., who after being duly sworn according to law, says that he is ..... Indian by ..... and a claimant for ..... Indian citizenship. Affiant further says on oath

..... lineal descendant of the ..... family, whose name he believes appears upon the census rolls that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said ..... to be of Cherokee Indian blood, and were members of the ..... tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of the ..... Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of ..... Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of ..... Indian blood and an administrator of ..... and Cherokee and at least one ..... Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

.....

Subscribed and sworn to before me, this ..... day of .....
A. D. 189.., and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina,)
County of Ashe,) ss:

On this 19th, day of August, A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Ladda Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Nash; George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Nas. Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

[illegible] Peace, in and for the [illegible] personally appeared William Price, [illegible] State of North Carolina, who [illegible] was duly [illegible] N. C. and that some sixty or [illegible] Ned Sizemore, who was a full blood [illegible] this time on the waters of Crab [illegible] Ashe county, N. C. and that he [illegible] several [illegible] Ashe county, N. C. and [illegible] Ned Sizemore had [illegible] of the Cherokee Tribe, that he was recognized and treated by [illegible] and acquaintances in Ashe county, N. C. as a full blood Indian.

Affiant further says that he was personally acquainted with Ned Sizemore, [illegible] Grayson county, Va. and [illegible] Affiant further says that he has no interest in the claim of the descendants of Ned Sizemore [illegible] in the Cherokee Nation, I. T.

Subscribed and sworn to before me this 11th day of August, A. D. 1896.

[illegible] Signed. WILLIAM x PRICE.
his
mark.

[illegible] BARDEN

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William [illegible] and know him to be a person of truth and credibility.

In witness whereof I have hereunto set my hand this the said date first above written.

[illegible] Signed. M. C. Nash. J. P.

The foregoing [illegible] affidavit filed with the Hon. Dawes Commission in the matter of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Office of [illegible] and [illegible] of signature of Justice certified to [illegible]

[illegible] Court [illegible]

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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C. [illegible] merous fam... [illegible] ers, one son [illegible] Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL
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In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. C. Tibbetts Notary Public.

My commission expires May 7th 1900

#2813

v

IN THE MATTER OF

[illegible] Person

Po Harris Mills Md.

(Dizeman family)

Filed Sept 5th 1876
H.M. Jacobs Atty

Respectfully
John Baldwin
Silas Lewis
Md

AFFIDAVIT OF WITNESS.

STATE OF [illegible]

COUNTY OF [illegible]

Before me, the undersigned, a [illegible] in and for the County and State aforesaid, personally appeared [illegible] who after being by me duly sworn states that he is [illegible] years of age and a citizen of [illegible] County, and State [illegible] and that he is personally acquainted with [illegible] who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person who represents himself in his application for citizenship in said Nation, and that the said [illegible] is a son of [illegible] and [illegible] a [illegible] Cherokee Indian by blood, and that the said [illegible] is a son of [illegible] and [illegible] a [illegible] Cherokee Indian by blood, and that the said [illegible] is a son of [illegible] and [illegible] a [illegible] Cherokee Indian by blood, and that the said [illegible] is a son of [illegible] and [illegible] a [illegible] Cherokee Indian by blood.

Affiant further states that he has known the said [illegible] for the past [illegible] years and knows that [illegible] has resided in the [illegible] Nation, I. T., for the past [illegible] years and that [illegible] has been [illegible] and that the statements made by the said [illegible] are true, and that he is [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] before the Cherokee Nation, I. T., and that he is not [illegible] to the said [illegible]

Affiant

Sworn to and subscribed before me this [illegible] day of [illegible] A. D. 1896 and I further certify that I am well acquainted with the said [illegible] and know him to be a person of truthful character and of truth and veracity.

My commission expires on the [illegible] day of [illegible] 189

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896

[illegible]
Clerk Superior Court.

End

Nation's No. [illegible]

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, the power to hear and determine the same.

2nd. That the application and statements is insufficient, in fact, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now reside, or ever have resided, in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

J. K. Davis

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wm. Price, Samuel Davis, Alfred Price, Wm. M. Davis, Chas. Downs

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the [illegible] day of September, 1896.

M. H. Dobbins Notary Public

My Commission expires Mar. 7th 1903.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible] Commissioner

Your petitioner, John F. Miller, earnestly and respectfully represents that Thomas [illegible] Smith, Cherokee Indian by blood, deriving the same from [illegible] lineal ancestor, the late [illegible] through Mark McWatters who was a son of Elkanah Waters and was a daughter of Mary Thompson who was a Daughter of Sallie Sizemore Blevins whose Maiden Name was Sallie Sizemore a Daughter of Owen Sizemore a son of Ned Sizemore a full Blood Cherokee Indians

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for h[illegible] application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of h[illegible] claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is John Franklin Miller, age [illegible] years, residence Buncombe, in the State of North Carolina, postoffice address [illegible], County of Madison, State of [illegible], occupation that of a Farmer [illegible] is a Member of the Baptist Church and visits [illegible] is a Loving Husband and Father and [illegible]

Most Respectfully Submitted.

Attesting witnesses.

[illegible] [SEAL.]

[illegible] [SEAL.]

[illegible] [SEAL.]

STATE OF [illegible])
) ss.
COUNTY OF [illegible])

Personally appeared before me, [illegible] a [illegible] in and for said county in the State aforesaid, John F. Miller, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h[illegible] said petition above are true as stated therein, this the 17 day of [illegible] 1896.

Attesting Witnesses.

[illegible] [SEAL.]

[illegible] [SEAL.]

[illegible] [SEAL.]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this 17 day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of N. C., and that I have no interest directly or indirectly in the prosecution of h[illegible] said claim for Cherokee Indian citizenship and am not related to h[illegible] by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of March 1896.

[illegible]
Clerk Superior Court.

POOR ORIGINAL
BEST AVAILABLE COPY
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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

[illegible]

Attest:
J. H. BAILEY.

Signed.
WILLIAM x PRICE.
mark.

[illegible]

M. C. BLY, N. P.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe. } ss:

[redacted]

his
[Signed] ALFRED A. PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HUSTA, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. L. Hobbs, Notary Public.

My commission expires May 7th 1900

#2825

IN THE MATTER OF

for bond for removing Debtor

Petition filed

Sept 8th 1876

Wm. Jacowon

Atty

John Brannin

Iowa Circle

Ills

AFFIDAVIT OF WITNESS.

STATE OF [illegible] }
COUNTY OF [illegible] }

Before me, the undersigned a [illegible] Justice of the Peace in and for the County and State aforesaid, personally appeared [illegible], who after being by me duly sworn states that he is [illegible] years of age and a citizen of [illegible] County, and State of N. C., and that he is personally acquainted with D. H. Waters who is an applicant for citizenship in the Cherokee Nation I. T. and affiant further states that the said D. H. Waters is the identical person he represents himself to be in his application for citizenship in said Nation; and that the said D. H. Waters is a son of Park Waters who was a son of Virginia Waters who was a daughter of Mary Thompson who was a [illegible] of Lydia Blevins who was a daughter of Cynthia Brazeale who was a son of [illegible] a member of the Cherokee Indian

Affiant further says that he has known the said D. H. Waters for the past 20 years and knows him to be a man of good moral character and associated by his neighbors, acquaintances and the public generally as a citizen of the Cherokee Nation and that the complexion, physical appearance [illegible] and that the said D. H. Waters [illegible] that the statements made by [illegible] in the above affidavit are correct and true statements made by [illegible] affiant states that he has every reason to believe and does believe that the said D. H. Waters is of Cherokee Indian blood.

[illegible] has no interest whatever in the prosecution of the claim of the said D. H. Waters to enrollment upon the Cherokee Nation, I. T. and that he is not employed [illegible] by the said D. H. Waters.

Affiant.

Subscribed and sworn to before me this 19 day of [illegible] A. D. 1896, and I further certify that I am not related to the said D. H. Waters [illegible] and that I believe the statements of this affidavit to be true and correct.

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF [illegible] C.
County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of [illegible] 1896.

[illegible]
Clerk Superior Court

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End

Nation's No. 1644.
Commission's No.
In re Application of

[illegible].

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of the application of
[illegible] for citizenship. Nation's No. [illegible].
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the [illegible] facts sufficient, if true, to show that the applicant is entitled to the relief sought.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claims to derive their right never resided in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory as at present located and defined; that his name does not appear on any of the recognized rolls of said Nation; that neither he nor any of his ancestors now [illegible] in the Cherokee Nation and Indian Territory, as citizens thereof.

Having thus answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John L. Vore, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the 17th day of [illegible], 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible] in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

/s/ J. N. Baldwin

Subscribed and sworn to before me this, the [illegible] day of September, 1896.

W. T. Hobbs Notary Public

My Commission expires Nov. 4 1899.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ... earnestly and respectfully represents that he is .....

..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

..... through

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation, and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years

residence ..... in the State of ..... postoffice address .....

..... County of ..... State of ..... occupation that of a

Most Respectfully Submitted,

Attesting witnesses.

..... [SEAL.] ..... [SEAL.]

..... [SEAL.]

STATE OF ..... } ss.

COUNTY OF ..... }

Personally appeared before me ..... the petitioner in the above ..... for ..... County of the State aforesaid, ... who after being ..... sworn according to law states that the facts set forth in the said petition above are true as stated therein this the ..... day of ..... 189..

..... [SEAL.]

Attesting witnesses.

[SEAL.]

[SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this ..... day of ..... 189.., and I do certify that I am personally acquainted with ..... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA }
ASHE COUNTY } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Miller ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ..... Justice of the Peace in and for said county and State duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 21st day of August 1896.

P Blevins

Clerk Superior Court

POOR ORIGINAL -
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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 13th, day of August A. D. 1896, personally appeared before [illegible] Justice of the Peace for the county of Ashe in the [illegible] Alfred Price, [illegible] postoffice address is Crumpler, Ashe county, N. C. [illegible] years of age who [illegible] North Carolina, and who [illegible] Cherokee Indian and [illegible] of Ashe county, N. C. [illegible] of Owen who [illegible] Lydia Blevins and who [illegible] Catharine Sizemore who married one James Hart and who [illegible] Margery who married Robert Hash, George [illegible] Peak and Cornelia Peak and Grubb [illegible] and Ned Sizemore had other sons and daughters and said Catharine Hart was [illegible] Caldwell who was the mother of [illegible] William D. Caldwin; that said Catharine Hart was [illegible] Hart and others.

[illegible] Facts from his own personal knowledge and observation [illegible] Aug. the 13th, 1896.

his
[Signed] ALFRED + PRICE.
mark.

[illegible] sworn to before me this 13th day of August, 1896. [illegible] affidavit were fully made [illegible] and swearing, and that said Alfred Price [illegible] credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

[illegible] copy of an affidavit filed with the Hon. Dawes [illegible] Cornelie Peak for citizenship in the Cherokee [illegible]

[illegible] official character and genuineness of signature of Justice certified by [illegible] Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON. [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

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BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

J. F. Nicholas, Notary Public.

My commission expires March 17th 1898

#2828

IN THE MATTER OF

St. Mohawk, Va.

(Negroes family)

Issued Sept 8th 1896

H.M. Jackson

St Cty

John F. List in

Atlas Book

1 Page

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that he is ..... years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in h... application for citizenship in said Nation, and that the said ..... is

Affiant further states that he has known the said ..... for the past ... years and knows that he is and has been recognized and treated by h... neighbors, acquaintances and the pu... generally, as a person having ..... Indian blood, and that the complexion, physical appearan... language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to h... by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is ... related by blood or marriage to the said .....

Attest. .....

Subscribed and sworn to before me, this ... day of ..... A. D. 189... , and I further certify that I am well acquainted with the said ..... and know h... to be a perso... of credibility and of truth and veracity.

.....

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Lynn Miller....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 22 day of ..... 1896.

.....
Clerk Superior Court.

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End

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject-matter of this controversy, and no legal right, power or authority to hear and determine the same.

2nd. That the petition does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent, not waiving, but insisting upon, said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the treaty of 1866, and is not in the Indian Territory as at present located and defined; that his name does not appear upon any authenticated roll of said Nation; that neither he nor any of his ancestors now resident in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

by Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,)
Cherokee Nation.) ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Alice Price for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alice Price Alfred Price Wm A. Lewis, J. H. Burton and Samuel Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. A. Dobbs Notary Public

My Commission Expires Mar

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To The Hon Dawes Commission.

Your petitioner, Alice Peak, carnestly and respectfully represents that she is one Quarter-Second Cherokee Indian by blood, deriving the same from her lingal ancestor, the late Ned Sizemore through her mother Caroline Peak, who was a daughter of Nellie Sowen, who was a daughter of Margery Nash who was a daughter of Catharine Hunt, who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that She be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Alice Peak, age Twenty-one years, residence Grayson Co., in the State of Virginia, postoffice address Grayson Texas County of Cooke State of North Carolina occupation that of a Farmer

Attesting witnesses,

J. H. Hazlip [SEAL.]

L. C. Yates [SEAL.]

Most Respectfully Submitted,

her

M. C. Nash [SEAL.]

mark

STATE OF North Carolina, } ss.

COUNTY OF Ashe }

Personally appeared before me, M. C. Nash, a brother of the Peak, a notary for said county in the State aforesaid, Alice Peak, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 27 day of July 1896.

Attesting witnesses,

J. H. Hazlip [SEAL.]

L. C. Yates [SEAL.]

her

Alice Peak [SEAL.]

mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and I do certify that I am personally acquainted with Alice Peak the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. H. Hazlip, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27 day of July 1896.

Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe,) ss:

On this 19th, day of August A. D. 1896, personally appeared before me [illegible] and [illegible] in Beaver Creek Township county of Ashe and State aforesaid, Alfred Price, aged 78 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago the personally known one Ned Sizemore who then lived in Ashe county, North Carolina, and who was of Indian extraction of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., leaving numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Nash, George Hart who was the father of Margery Peak and Cornelia Peak and Crajah Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me the undersigned Justice of the Peace, in and for the county and state aforesaid, personally appeared, William Price, who being duly sworn by me deposes and says that he is [illegible] years of age, and resides at Lansford, N. C. who being duly sworn, states that he was born and raised in Ashe county, N. Carolina that [illegible] that he was personally well knew one Ned Sizemore, who was a full blood Cherokee Indian, and was well known in the county as such at the time of his death, and that affiant was well acquainted with the family of said Ned Sizemore at the time of his death, and became well acquainted with [illegible] Ned Sizemore, who had a wife and [illegible] children, to wit: [illegible] Sizemore, a son, and Catharine Sizemore, a daughter, all of whom were full blood Cherokee Indians, and lived in Ashe county, N. C. at the time of the death of said Ned Sizemore, and affiant has been informed by [illegible] that said Owen Sizemore had a daughter, [illegible] who married one [illegible] Bowles, and lives in Ashe county, N. C. that said [illegible] Bowles had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one [illegible] Price, and had several sons and daughters among whom were Catharine who married one [illegible] and [illegible] married one Caldwell, and Margery who married Robert Nash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe, and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Tazewell county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HAYES, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelic Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. J. Wolcott, Notary Public.

My commission expires, March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baxter, who after being by me duly sworn states that he is Eighty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Grassyspeek, in said County, and that he is personally acquainted with Alice Peak., who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Alice Peak is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Baxter

Subscribed and sworn to before me, this 2nd day of September, A. D., 1896.

M. A. Dibrell, Notary Public.

My Commission expires, March 7, 1900.

AFFIDAVIT OF WITNESS.

State of North Carolina
County of Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Evans who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Alice Peak who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Alice Peak is the identical person she represents herself to be in h~~e~~ application for citizenship in said Nation, and that the said Alice Peak is the daughter of Caroline Peak, who was a daughter of Margery Hare, who was the daughter of William Hare, who was the daughter of Lucy [illegible], who was a full blood Cherokee Indian of the full blood

Affiant further states that he has known the said Alice Peak for the past 25 years ~~and~~ knows that she is and has been recognized and treated by h~~er~~ neighbors, acquaintances and the public generally as a person having Cherokee Indian blood, and that the complexion, physical appearance, gesture and manners of the said Alice Peak indicate that the said is of Indian blood. That from the above facts and circumstances and from statements made to h~~im~~ by the said Alice Peak affiant states he has every reason to believe, and does believe that the said Alice Peak is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Alice Peak to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Alice Peak

his
Samuel X Evans
mark

Subscribed and sworn to before me this 11 day of July A. D., 1896, and I further certify that I am well acquainted with the said Samuel Evans and know h~~im~~ to be a person of credibility and of truth and veracity.

[illegible] J.P.

My commission expires on the day of , 189 .

Ashe County, } ss.

I, Poindexter Blevins, Clerk of the Superior Court of said county, do certify that [illegible] Neal, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

[illegible]
Clerk Superior Court

#2865

No.

IN THE MATTER OF

Claim of Citizenship in

Nation, I. T.

(Witness' name)

Filed Sept 7th 1896

Rejected

John Bellamy

Sworn

Mc

AFFIDAVIT OF WITNESS.

State of North Carolina
County of Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Harris who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Alice Peak who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Alice Peak is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Alice Peak is the daughter of Caroline Peak, who was the daughter of Margery Hart, who was the daughter of Catharine Hart, who was the daughter of Red [illegible], who was an Indian of the full blood

Affiant further states that he has known the said Alice Peak for the past 25 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Alice Peak indicate that the said is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Alice Peak affiant states he has every reason to believe, and does believe that the said Alice Peak is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Alice Peak to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Alice Peak

his
Samuel X Harris
mark

Subscribed and sworn to before me this 11 day of Aug. A. D., 1896, and I further certify that I am well acquainted with the said Samuel Harris and know him to be a person of credibility and of truth and veracity.

J.P.

My commission expires on the day of , 189 .

ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm. Wagg Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

P. Blevins
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

/ . /

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, power or authority to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his said demurrer, but insisting upon the same for answer to said application, says that:

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided, in the Cherokee Nation, Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By / Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the / day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Lucy Anderson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of David Davis, Wyatt Price, Wm Price, Wm A. Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. H. Daniels Notary Public

My Commission Exp. [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Daniel Cornish

Your petitioner, Darcy Anderson, earnestly and respectfully represents that she is One Seventh Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sizemore through her mother Morgan Peak who was a daughter of George Peak who was a son of Polly Peak, said Ned Sizemore, who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Darcy Anderson, age last past forty years, residence Jefferson, in the State of North Carolina, postoffice address Glendale Springs, County of Ashe, State of Virginia, occupation that of a housekeeper and has been a married woman and is the mother of the following named minor children Sylvia C. Anderson aged Eleven years last birthday, Hattie Anderson aged Nine years last birthday, Ida Anderson aged Seven years last birthday.

Attesting witnesses,

[SEAL.]

[SEAL.]

Most Respectfully Submitted,

[SEAL.]

STATE OF North Carolina, } ss.
COUNTY OF Ashe, }

Personally appeared before me, W. C. Nash, a Notary Public for said county in the State aforesaid, Darcy Anderson, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the day of August 1896.

Attesting witnesses.

[SEAL.]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 11 day of Aug 1896, and do certify that I am personally acquainted with Darcy Anderson the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. C. Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of August 1896.

Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe, } ss,

[illegible]

[illegible]

[illegible]

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. V. Hobbs, Notary Public.

My commission expires, March 1900

#7852

No. .....

IN THE MATTER OF

Henry [illegible]

Claim to Citizenship in the Choctaw

Nation, I. T.

P.O. Edgewater, Va.

Rejected
(Simmons family)
Filed Sept 7th 1896
D.M. Jacobson
Secty

John Bellamin
Atlas Brick
N.C.

AFFIDAVIT OF WITNESS.

State of North Carolina)
County of Ashe) ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared [illegible] who after being by me duly sworn states that he is 71 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Nancy Anderson who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy Anderson is the identical person he represents herself to be in her application for citizenship in said Nation, and that the said Nancy Anderson is a daughter of Margery Reed who was a daughter of George Reed, who was a son of [illegible] who was a Cherokee Indian of full blood and one of the emigrants of the year 1839 and Nancy Anderson is the only living child of the said Margery Reed now living. Sylvania Anderson, Nancy Anderson, Lee Anderson and Nathan

Affiant further states that he has known the said Nancy Anderson for the past 25 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Nancy Anderson indicate that the said Nancy Anderson is of Indian blood. That from the above facts and circumstances and from statements made to her by the said Nancy Anderson affiant states he has every reason to believe, and does believe that the said Nancy Anderson is of the Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Nancy Anderson for citizenship in the Cherokee Nation, I. T. and that he is not related by blood or marriage to the said Nancy Anderson. Jerreck Lewis

Subscribed and sworn to before me this 11 day of May A. D. 1896, and I further certify that I am well acquainted with the said [illegible] and know him to be a person of credibility and of truth and veracity.

[illegible]

My commission expires on the day of , 189

STATE OF NORTH CAROLINA,)
ASHE COUNTY,) ss.

POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 15th day of August 1896.

P. Blevins
Clerk Superior Court

End

Nation's No. [illegible].

Commission's No.

In re Application of

[illegible]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

F. . . . . Nation's No. .

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is or is entitled to citizenship.

Respondent now waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that . . . . . through whom the petitioner claims to derive . . . . right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory. . . . . .

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By . . . . . Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me, this the . . . day of . . . . 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation, } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

W. H. Dobbs, for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Downing, Alfred Reese, Wm Rice, ~~Wm W.~~ Wirt, J. N. Baldwin, Stephen Hoel

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Dec. 1st 1899

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ..., earnestly and respectfully represents that he is .....
....., Cherokee Indian by blood, deriving the same from h... lineal ancestor, the late
....., through

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for h... application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of h... claim and if the same is found to be valid and correct as herein stated, that be be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years,
residence ....., in the State of ....., postoffice address .....
....., County of ..... State of ..... occupation that of a

Attesting witnesses,

..... [SEAL.]
..... [SEAL.]

Most Respectfully Submitted,

..... [SEAL.]

STATE OF .....
COUNTY OF ..... } ss.

Personally appeared before me, ...
in and for said county in the State aforesaid ..... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h... said petition above are true as stated therein this the ... day of ..... 189...

Attesting witnesses.

..... [SEAL.]

..... [SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this ... day of ..... 189..., and I do certify that I am personally acquainted with ..... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the prosecution of h... said claim for Cherokee Indian citizenship and am not related to h... by blood or marriage.

.....

STATE OF NORTH CAROLINA,
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court; this 17. day of ....., 1896.

P. Blevins
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C., that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequeatly died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemorea daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyditia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
I. H. Barton. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hash, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T;

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurly, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Todd, in said County, and that he is personally acquainted with [illegible], who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. F. Baldwin

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.

M. A. Dobacks Notary Public.

My Commission expires March 7, 1900.

#2804

No.

IN THE MATTER OF

Claim of [illegible]

Station [illegible]

No 2 Sturgis N.C.

Seymour family
Fund Sept 8th 1876
Am. to be sent
Sold

Rec'd 1877
John Blackmon
Sturgis
N.C.

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn, states that he is ..... years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said .....

Affiant further states that he has known the said ..... for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest, ...

Subscribed and sworn to before me this 17 day of ..... A. D. 1896, and I further certify that I am well acquainted with the said ..... and know h.. to be a person of credibility and of truth and veracity.

My commission expires on the ..... day of 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of ..... 1896.

P. Blevins
Clerk Superior Court

POOR ORIGINAL
BEST AVAILABLE COPY

End

Nation's No. 1041.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation, Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,)
Cherokee Nation.)

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Betsy Hair for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Joseph Daniel Davis, Wm Penn Taylor Sr., Wm M. Davis, Betsy Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

W. A. Dobbs Notary Public

My commission expires Nov. 7 1899

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner, [illegible], earnestly and respectfully represents that she is [illegible] Cherokee Indian by blood, deriving the same from her lineal ancestor, the late [illegible] through [illegible] who was a [illegible] who was a son of [illegible] was a full blood [illegible] signora a daughter of [illegible] signora a son of [illegible] signora a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] age [illegible] years residence [illegible] in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of a [illegible]

Attesting witnesses.

[SEAL]

[SEAL]

Most Respectfully Submitted,

[illegible] [SEAL]

STATE OF [illegible] }
COUNTY OF [illegible] } ss.

Personally appeared before me, [illegible] a [illegible] for said county in the State aforesaid, [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being sworn according to law states that the facts set forth in the said petition above are true as stated therein this the [illegible] day of [illegible] 189[illegible].

Attesting witnesses,

[illegible] [SEAL]

[SEAL]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this [illegible] day of [illegible] 189[illegible], and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that [illegible] is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of [illegible] said claim for Cherokee Indian citizenship and am not related to [illegible] by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

P. P. Blevins

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

..... To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF .....

COUNTY OF .....

Subscribed and sworn to before me this ..... day of ..... A. D. 1896, personally before me .....

..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared ....., aged ..... years, a resident of .....

county and State of ....., whose postoffice is ..... who after being duly sworn according to law, says that he is ..... Indian by ..... claimant for ..... Indian citizenship. Affiant further says on oath that .....

.....

.....

.....

and that he is descendant of the ..... family, whose name he believes appears on the records that were taken by the United States government, by blood of the Cherokee tribe of Indians. Affiant further says that he believes the said ..... to be of Cherokee Indian blood and were members of the ..... tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of ..... Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of ..... Indian blood and that from his complexion and physical appearance, he has every reason to believe and does believe that he is of ..... Indian blood, and that admixture of ..... and Cherokee and at least one ..... Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

.....

Subscribed and sworn to before me, this 13 day of .....

A. D. 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

.....

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina and who was a Cherokee Indian of the full blood having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have descended a number of the present claimants: that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin: that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C. who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or C., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died. That said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Winfield enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe county, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, at school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

J. R. A. Dobbs, Notary Public.

My commission expires (Mar) 1st 1900

#2810

IN THE MATTER OF

Re Sup. Ct. Mand.

Filed Sept 8th 1876
Wm A Giconay
Secy

Rejected
Atkins Brewerton
Atkins Brewerton
Atty

AFFIDAVIT OF WITNESS.

—o—

STATE OF North Carolina }
COUNTY OF Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Henry Evans, who after being by me duly sworn states that he is 6[illegible] years of age, and a citizen of Ashe County, and State of N.C. and that he is personally acquainted with Peggy Hart, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Peggy Hart is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Peggy Hart is a Daughter of Stephen Hart who was a citizen of the Cherokee Nation and was a full blood Cherokee Indian woman by the name of Katie Sizemore she was a daughter of Katie Sizemore who was a full blood Cherokee Indian

Affiant further states that he has known the said Peggy Hart for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Indian blood, and that the complexion, physical appearance, carriage and manners of the said Peggy Hart indicate that the said Peggy Hart is a Indian woman. That from the above facts and circumstances and from statements made to him by the said Peggy Hart affiant states he has every reason to believe and does believe that the said Peggy Hart is of full Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Peggy Hart to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Peggy Hart. She is 14 miles distant.

Attest: D. C. Bivens Henry Evans

Subscribed and sworn to before me, this 3 day of [illegible] A. D. 1896, and I further certify that I am well acquainted with the said Henry Evans and know him to be a person of credibility and of truth and veracity.

D. C. Bivens J.P.

My commission expires on the day of 189

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that D. C. Bivens, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of [illegible] 1896.

P. B. Blevins
Clerk Superior Court.

End

3101

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }ss

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Cynthia Ford for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of R. M. Ellis, Samuel Davis, Wm Ford, Rice Ford, Wm Rice, Wm A. Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 5th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Mar. 2 1899

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dawes Commission

Your petitioner Cynthia Hart, earnestly and respectfully represents that she is One Thirty-second Cherokee Indian by blood, deriving the same from his Final ancestor, the late [illegible] through [illegible] Wiley Hart who was a [illegible]

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] age 44 years. residence [illegible] in the State of [illegible] postoffice address Purcher County of [illegible] State of [illegible] occupation, that of a house-wife

Most Respectfully Submitted.

Attesting witnesses:

B. K. Ellis [SEAL]

M. F. Church [SEAL]

Cynthia Hart [SEAL]

State of [illegible]

County of [illegible]

Personally appeared before me, [illegible] a [illegible] of said county in the State aforesaid, the petitioner in the above application for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 24 day of July 1896.

Cynthia Hart [SEAL]

Attesting witnesses:

B. K. Ellis [SEAL]

M. F. Church [SEAL]

Subscribed and sworn to before me, a Justice of [illegible] as aforesaid, on this 25 day of July 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible], and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

H. R. Mcmillan

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that H. R. McMillan Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27 day of August 1896.

[illegible]
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

of [illegible] To Cherokee Indian Citizenship.

AFFIDAVIT OF [illegible]

[illegible]

On this, the [illegible] day of [illegible] 7 A. D., 1896, personally before me, H. R. Momillan a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared [illegible] aged [illegible] years, a resident of [illegible] County, and State of [illegible], whose postoffice is Purcheses who after being duly sworn according to law, says that She is two thirty seconds Indian by [illegible] a claimant for [illegible] Indian citizenship. Affiant further says on oath that [illegible] said [illegible]

and is a direct lineal descendant of the [illegible] family, whose name She herself appears upon the census rolls, that were taken by the United States government, by order of the Cherokee tribe of Indians. Affiant further says that she believes the said [illegible] to be of Cherokee Indian blood, and were members of the [illegible] tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that She is a descendant of [illegible] Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of [illegible] Indian blood and that from his complexion and physical appearance She has every reason to believe and does believe that She is of [illegible] Indian blood and is an admixture of [illegible] and Cherokee and at least one thirty second Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Cinthia Hunt

Subscribed and sworn to before me, this 18 day of July A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

H. R. Momillan

1

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

[illegible]

Affiant states these facts from his own personal knowledge and observation and has to whom [illegible] in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 19th day of August A. D. 1896.

Attest [illegible] Signed his WILLIAM x PRICE. mark.

[illegible]

Subscribed and sworn to before me this 19th day of August, A. D. 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said William Price is a person of truth and credibility.

Given under my hand this day and date first above written.

Signed M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the County of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Grassdale, Ashe county, N. C., and state that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having emigrated several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of a pure full blood Indian, and was so treated and regarded by his neighbors and acquaintances, that said Sizemore died in Ashe county, N. C., and left a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wade Blevins from whom have come the descendants of the present claimants; that Catharine was the name of one daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Washington the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the daughter of Catharine Caldwell who was the mother of Nancy Caldwell and W. Ruan D. Baldwin that said Catharine Hart was by another husband [illegible] Harris Hart and others.

Affiant states these facts from his own personal knowledge and observation [illegible] Given under my hand this 19th, day of August, 1896.

his
Signed ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

Signed L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Dobbins, Notary Public.

My commission expires March 9 1900

2483

1

No.

IN THE MATTER OF

Volunteer Officers' Claims

Vs. Navy Dept.

Pay Vouchers. 11 Cs.

(Pay Vouchers)

Filed Sept 8th 1896

Wm. Lecompte
Clerk

John [illegible]

Miles Smith

Rejected. Mc

AFFIDAVIT OF WITNESS.

State of .....)
County of .....) ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that ... is ... years of age and a citizen of ..... County, and State of .... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person she represents ... herself to be in h... application for citizenship in said Nation, and that the said .....

Affiant further states that ... he has known the said ..... for the past ... years and knows that ... he is and has been recognized and treated by h... neighbors, acquaintances and the public generally, as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to h... by the said ..... affiant states ... he has every reason to believe, and does believe that the said ..... is a ..... Indian blood.

Affiant further states that ... he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that ... he is not related by blood or marriage to the said .....

.....

Subscribed and sworn to before me this ... day of ..... A. D. 189... and I further certify that I am well acquainted with the said ..... and know h... to be a person of credibility and of truth and veracity.

.....

My commission expires on the ... day of ..... 189...

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of 1896

.....
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Margery Phipps for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, Alfred Price, Wm Price, Lewis, Pettit, Carlton & Samuel Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and swern to before me this, the 7 day of September, 1896.

W. T. Hobbs Notary Public

My Commission Expires Mar 7th 1900

Name

Vernacular Title

Chinese Indian Calligraphy

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP

TO The Dawes Commission:

Your petitioner, Margaret Pickle, earnestly and respectfully represents that she is one seventh Cherokee Indian by blood deriving the same from her maternal ancestor the late Ved Sizemore through her mother Mary Ann Pickle. She was a daughter of Mary Hash, Who was a daughter of Catherine Hart Who was a daughter of said Ved Sizemore a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her case and if the same is found to be true and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Margaret Pickle age Sixty years

resides in Ashe County in the State of North Carolina postoffice address Silas Creek

County Ashe State North Carolina occupation that of a

Most Respectfully Submitted.

Margaret Pickle (SEAL)
her mark

Attesting witnesses

J. H. Isaacs (SEAL)

E. [illegible] (SEAL)

State of North Carolina }
County of Ashe }

Personally appeared before me Elisha Davis a Justice of the Peace in and for said county in the State aforesaid, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A. who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 17 day of July 1896

Margaret Pickle (SEAL)
her mark

Attesting witnesses

J. H. Isaacs (SEAL)

E. [illegible] (SEAL)

Subscribed and sworn to before me a Justice of the Peace as aforesaid on this 17 day July 1896 and I do certify that I am personally acquainted with Margaret Pickle the said petitioner and know that she is a credible person and entitled to full faith and credit and any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

Elisha Davis J.P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Elisha Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of July, 1896

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

Before me, the undersigned [illegible] Peace, [illegible] for the county of Ashe, in the State aforesaid, personally appeared William Price, of [illegible], a resident of North [illegible] of years, of [illegible], who [illegible] Weaver Trace, N. C., who [illegible] sworn state: That he was born and raised in Ashe county, N. C., and has [illegible] of [illegible] agent, [illegible] Ned [illegible] who was a full blood [illegible] Cherokee Indian by nationality who came from the [illegible] Cherokee tribe in Western N. C., [illegible] several [illegible] all of [illegible] that to [illegible] often went back to where [illegible] finally [illegible] made his [illegible] N. C., [illegible] Ned Sizemore had a [illegible] family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter, [illegible] and personally [illegible] that said Owen Sizemore had a daughter, Lydia who married one James Blevins and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants, viz: Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had a number of sons and daughters among whom were Catherine who married one Caldwell and subsequently married one Caldwell, and Margery who married Robert Rash, and settled in Grayson Co., Va., near the Va., and N. C. state line, New Hope, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest: J. P. BARTON. {Signed} his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

{Signed} M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of County.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe, }

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace, duly qualified for the County of Ashe in the State aforesaid, Alfred Price, aged [illegible] years, whose postoffice address is Cumberland, Ashe county, N. C., and after [illegible] says that he has personally known Ned Sizemore who died [illegible] in Ashe county, North Carolina [illegible] the said Ned Sizemore was the father of the [illegible] Sizemore, [illegible] that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of a full blood Indian, and was so treated and regarded by his neighbors [illegible] that he [illegible] in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Catharine Sizemore who married James Blevins and who was the mother of James, Lee, George, Webb Blevins from whom have descended a number of the present claimants, viz: Catharine was the name of one daughter of said Ned Sizemore who married one James Hart and who had a number of sons and daughters among whom were Margery who married Robert Rash, George [illegible] Catherine who married one Caldwell and Cornelia Peak and Cornelia Peak and Cornelia Peak the [illegible] Ned Sizemore also had other sons and daughters and said Catharine Hart was [illegible] Caldwell who was the mother of Nancy Caldwell who married Wesley D. Bateson, that said Catharine Hart was the mother of [illegible] Sarah Hart and others.

Affiant states these facts from his own personal knowledge and observation [illegible] Given this 19th day of Aug. 1896.

{Signed} his ALFRED x PRICE. mark.

Sworn to and sworn to before me this 19th day of August, 1896, and I [illegible] the contents of the foregoing affidavit were fully made known to [illegible] before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand, this day and date first above written.

{Signed} L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T. }

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL.]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Libbits Notary Public.

My commission expires Mar 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is fifty years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Heavensford, in said County, and that he is personally acquainted with Margery Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Margery Phipps is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barton

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

W. H. Rabbs, Notary Public.

My Commission expires, March 7, 1900.

#2267

No. .....

IN THE MATTER OF

Margaret Smith

a Claim to Citizenship in .....

Section 1 T. 6

Po Sias Creek NE

Refused

(Signature of Applicant)

Filed Sept 7th 1894

A. M. Clemmons

Clerk

John Baldwin

Sias P.O.

NE

AFFIDAVIT OF WITNESS.

State of North Carolina,
County of Ashe } ss.

Before me, the undersigned, Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 47 years of age and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Margery Phipps who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Margery Phipps is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Margery Phipps who was a daughter of Mary Ann Phipps who was a daughter of Margery Hash who was a daughter of Catharine Hart who was a daughter of Nel Segunee who was a Cherokee Indian of the full blood

affiant further states that he has known the said Margery Phipps for the past 45 years and knows that She is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Margery Phipps indicate that the said Margery Phipps is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Margery Phipps affiant states he has every reason to believe and does believe that the said Margery Phipps is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Margery Phipps to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Margery Phipps

Samuel Davis

Subscribed and sworn to before me this 11 day of July A. D. 1896, and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity.

My commission expires on the day of , 189 .

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY. }

I, DEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11. day of August 1896

Clerk Superior Court

End

Nation's No. [illegible]

Commission's No. [illegible]

In re Application of

[illegible]

Demurrer and Answer.

27

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for recognition as Cherokee Citizen.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for [illegible] grounds thereof says:

1st. That [illegible] has not jurisdiction over the parties or subject matter of this controversy, and no [illegible] determine the same.

2nd. That [illegible] to show that the applicant [illegible]

Respondent [illegible] upon the case for answer to said application, [illegible]

thereto he has no claim to derive [illegible] right [illegible] Nation [illegible] and has not been a citizen of the Cherokee Nation, since the [illegible] to the Indian Territory as at present located and defined; that his name [illegible] Cherokee Nation, and in Indian Territory [illegible] thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. [illegible] Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Ellen Hoyt for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 17 day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Mar 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To [illegible]

Your petitioner, [illegible] earnestly and respectfully represents that she is [illegible] Cherokee Indian by blood deriving the same from her lineal ancestor, the [illegible] through [illegible]

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for her full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] age [illegible] years residence [illegible] in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of house keeper I am married. 5 children. husband age 7 Eli age 5 James. visitor age 3 1/2 Lee age [illegible]

Attesting witnesses.

Most Respectfully Submitted,

[illegible] [SEAL]

[illegible] [SEAL]

[illegible] [SEAL]

STATE OF N.C. }
COUNTY OF Ashe }

Personally appeared before me, [illegible] a [illegible] in and for said county in the State aforesaid, [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A. who after being duly sworn according to law states that the facts set forth in said petition above are true as stated therein.

Subscribed and sworn to before me this [illegible] day of [illegible] 189[illegible].

Attesting witnesses. [illegible] [SEAL]

[illegible] [SEAL]

[illegible] [SEAL]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this [illegible] day of [illegible] 189[illegible], and I do certify that I am personally acquainted with [illegible] the petitioner, and know that [illegible] he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of [illegible] said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA. }
ASHE COUNTY, } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] W. [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible], 1896.

[illegible]
Clerk Superior Court

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who, after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died.; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian: that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

his
Attest [Signed] WILLIAM x PRICE.
J. H. Barton. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hash, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurly, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Dobbs Notary Public.

My commission expires May 7th 1900

2048

No.

IN THE MATTER OF

Claim of [illegible]

Nation, Tribe or Band [illegible]

Repealed
(Supreme Court)
Filed Oct 8th 1896
Wm. Jacoway
Secy

John Ross Delegate
Dear Brother
Nation

AFFIDAVIT OF WITNESS.

State of .....)
County of .....) ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that ..... is ..... years of age, and a citizen of ..... County, and State of ..... and that ..... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... self to be in ..... application for citizenship in said Nation, and that the said .....

Affiant further states that ..... he has known the said ..... for the past ..... years ..... knows that ..... is and has been recognized and treated by ..... neighbors, acquaintances and the public generally as a person having ..... Indian blood; and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to ..... by the said ..... affiant states he has every reason to believe, and does believe that the said ..... is of ..... Indian blood.

Holy Hoga

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Witness my hand.

Subscribed and sworn to before me this ..... day of ..... A. D. 189 .., and I further certify that I am well acquainted with the said ..... and know ..... to be a person of credibility and of truth and veracity.

.....

My commission expires on the ..... day of ..... 189 ..

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this .. day of 1896

.....
Clerk Superior Court

End

Nation's No. 1662.
Commission's No.
In re Application of

[illegible] J. [illegible]

Demurrer and Answer.

FILED SEPT 20 [illegible]
[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of [illegible]

Nation's No. [illegible]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, the power to hear and determine the same.

2nd. That the aggrieved does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear [illegible] the authenticated rolls of said Nation; that neither he nor any of his ancestors now [illegible] by the Cherokee Nation, Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss

I, J. N. BALDWIN, do solemnly swear that on the Fourth day Septem'ber, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Rebecca J. Harris for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Eliza J. Price, W. H. Price, Sarah E. Wade, Sarah E. Wade, Mary Harris

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires, March 7 1900

Petition and memorial
for Cherokee indian
Citizenship

To the Hon. Dan. Com

Your petitioner Rebecka J. Ham Earnestly and
Respectfully Represents that it is proven and
She believes that she is one [illegible] Cherokee
Indian by blood, derivering the same from
her lineal ancestor the late Red Sizemore
Through her mother Martha Ham whose maiden
name was Martha Blevins who was a daughter
of Reby Blevins who was a son of Eli
Blevins who was a son of Lydia Blevins who
was a daughter of Owen Sizemore who was a son
of Red Sizemore full blood Cherokee
Indian [illegible] Petitioner prays
[illegible] Submits
[illegible] Enrolled Cherokee Indian Citizenship
[illegible] Petitioner is [illegible]
[illegible] Petitioner is [illegible] full
[illegible] Cherokee Indian [illegible]
[illegible] Petitioner [illegible]
[illegible] Petitioner [illegible]
[illegible] Petitioner

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ..... Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1896.

..... Clerk Superior Court

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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe, } ss:

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances: that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wade Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peal and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Margery Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C. who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C. that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said, Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON. [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged [illegible] years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and believes that said Sizemore was enrolled in the Cherokee settlement of about that date, and again in the Western enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been a contractor, and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Hobbs Notary Public.

My commission expires, March 7th 1900

#2846

Wesley Blevins

Rebecca Crow

Claimant

To Cherokee Indian

Reservation

No Crow, N.C.

Rejected

(Eizmore Family)

Filed Sept 8 1896

Wm Jacoway

Atty

John Baldwin

Silas Creek

NC

Wesley Blevins

#2846

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that the signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1850.

[illegible]
Clerk Superior Court

End

Nation's No. 1002.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[illegible], Applicant.

Nation's No. [illegible].

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That the Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, the power to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent [illegible] the allegations of fact, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory as at present located and defined; that his name does not appear [illegible] rolls of said Nation; that neither he nor any of his ancestors now resident, or ever [illegible] in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this [illegible] day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Mar. 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner, [illegible] earnestly and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his lineal ancestor, the late [illegible] through [illegible] whose name appears upon the [illegible] roll of the Cherokee Nation, as [illegible]

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for [illegible] application for Cherokee citizenship as aforesaid in the Cherokee Nation and asks for a full and [illegible] examination of said claim, and if the same is found to be valid and correct as herein stated, that he may be vested with the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name [illegible] age [illegible] years; residence [illegible] in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of a [illegible] has [illegible] children [illegible] ~~husband~~ [illegible] ~~spouse~~ [illegible] ~~husband~~ [illegible] [illegible]

Attesting witnesses.

[illegible] [SEAL.]

[illegible] [SEAL.]

Most Respectfully Submitted,

[illegible] [SEAL]

STATE OF [illegible] } ss.
COUNTY OF [illegible] }

Personally appeared before me Elisha Davis a [illegible] and for said county in the State aforesaid, [illegible], the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h[illegible] said petition above are true as stated therein, this the 3 day of [illegible] 189[illegible]

Attesting witnesses,

D. P. Bledsoe [SEAL.]

[illegible] [SEAL.]

Elisha Davis [SEAL.]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this 3 day of [illegible] 189[illegible] and I do certify that I am personally acquainted with the said petitioner, and know that h[illegible] he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of h[illegible] said claim for Cherokee Indian citizenship and am not related to h[illegible] by blood or marriage.

Elisha Davis J. P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY } ss.

I, POINDEXTER BLEDSOE, Clerk of the Superior Court of said County, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

P. Bledsoe
Clerk Superior Court

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GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF

COUNTY OF

On this, the ... day of ..... A. D. 189 personally before me, ... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..... aged ... years, a resident of ..... county and State of ..... whose postoffice is ....., who after being duly sworn according to law, says that ... is a ... Indian by blood, and a claimant for ..... Indian citizenship. Affiant further says on oath that ...

and is a direct lineal descendant of the ..... family, whose name ... believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that ... believes the said ..... to be of Cherokee Indian blood, and were members of the ..... tribe of Indians.

Affiant further says ... has been taught and has heard from ... earliest youth that ... is a descendant of a ..... Indian family and that affiant has been recognized and treated by ... neighbors and the public generally as a person of ..... Indian blood and that from ... complexion and physical appearance ... has every reason to believe and does believe that ... is of ..... Indian blood and is an admixture of ..... and Cherokee and at least one ..... Indian by blood.

Affiant further says the above statements are true to the best of ... knowledge and belief.

Subscribed and sworn to before me, this ... day of ...

A. D., 189..., and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

..... J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared, Alfred Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Wenyesboro, N. C., who being first duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek in Ashe county, N. C. that said Ned Sizemore had come from the home of the Cherokee tribe in Western N. C. or E. Tenn. some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant knew well and personally knew; that said Owen Sizemore had a daughter, Lydda who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof, that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BALTON. {Signed} his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

{Signed} M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justices of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydda Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
{Signed} ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

{Signed} L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. }

On this the 2nd day of September A. D., 1896, personally appeared before me the undersigned Notary Public, within and for the Cherokee Nation, Indian Territory, William A. Lewis, aged [illegible] years, whose post office address is Ft. Gibson, Cherokee Nation, I. T., who after being first duly sworn, deposes and says: That he resides in the Cherokee Nation, I. T., and has resided therein for the past [illegible] years; that he was well acquainted with the late [illegible] the records in said tribe who, on [illegible] well to [illegible] who, [illegible] on the roll, that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the conversation of said Sizemore and his acquaintance with him, affiant believes him to have been a Cherokee Indian by blood and of [illegible] that the said Ned Sizemore came about the year 1822 to [illegible] and [illegible] to the [illegible] Cherokees [illegible] Creek [illegible] to Western [illegible].

Affiant further states that he well knew James Harp, who in his lifetime had been married to Nellie Harp, the daughter of said Ned Sizemore, and has often heard the said Ned Sizemore call [illegible] by name of George. Affiant further says that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and [illegible] that said Ned Sizemore afterwards settled, died and was buried in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was [illegible] partially reared a near neighbor to the Sizemores, and that [illegible] was familiar with them, lived and associated as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

M. Faulkner Notary Public

My commission expires March 9th 1900.

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. P. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Boyd, in said County, and that he is personally acquainted with Elizabeth Darby, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Elizabeth Darby is the identical person he represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 27 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. P. Baldwin

Subscribed and sworn to before me this 13 day of September, A. D., 1896.

M. A. Dobbels, Notary Public.

My Commission expires, March 7, 1900.

#2827

Silas Cook
(Sequoia Family)
Filed Apr. 8th 1896
Wm Jacowon
Secty

Deposition of ...
The State of N. C.,
County of ... }
Before me the undersigned N. P.
... a public in and for said
county of ... personally appeared
Elizabeth Hurley and made appli
to it ... the State on oath
that ... is ... years ...
... N. C. that he
... acquainted with
Elizabeth Hurley ... resident
... that ... left ... where she
... and ... that ... U.S. and that
... knowledge
... that ... Elizabeth Hurley ... resided
... that ... father ... Cherokee
... that ... a daughter of Elizabeth
... for whose maiden name
... Elizabeth ... more ...
... that ... Cherokee
... generally ... Indian ...
... that ... Indian ... further
... that ... in this
said ... Elizabeth Hurley for past
30 years ...

... was intimately acquainted
with the said Elizabeth Hurley
and knew ... she was known ... and
... by her neighbors ... and the public generally as a
person of ... Cherokee Indian Blood
The said Hendrix Sizemore and his
family emigrated from
Cherokee Co. N.C., and settled
in ... Co. N.C.
That the complexion
physical appearance language
and manner of the said
Elizabeth Hurley indicated
that she was of Indian
Cherokee Indian Blood
and that she was so known
Recognised Treated By the
neighbors and the public
Generally and from the
facts and circumstances
and from statements made
by the said Elizabeth Hurley and

FRAME 1

[illegible] from this own knowledge
that [illegible] identical person [illegible]
referred to [illegible] that Theresa
Elizabeth Hurley [illegible] Maiden
Name was Elizabeth Tanner and
is the daughter of Richard Tanner
who was a daughter of Elizabeth
Tanner whose Maiden Name
was Elizabeth Vizenor who
was a daughter of the late Queen
Vizenor and a Cousin of Ned
Vizenor [illegible] full Blood
Chippewa Indians affiant further
states that he was present at the
[illegible] Elizabeth Hurley for past
[illegible] years

[illegible] personally acquainted
with the said Elizabeth Hurley
and has known her for [illegible]
[illegible] years last [illegible]
[illegible] affiant [illegible]
[illegible] family [illegible]
[illegible] and [illegible]
[illegible] that she was of ~~Indian~~
Cherokee Indian Blood
and that she was so known
and recognized and [illegible]
neighbors and the public
generally and from the
facts and circumstances
and prior statements made
by the said Elizabeth Hurley and
her ancestors affiant has every
reason to believe and does
verily believe from his own
personal knowledge that the
said Elizabeth Hurley is of
Cherokee Indian Blood
affiant further states on oath
that he has no interest directly
or indirectly in the

FRAME 2

prosecution of the claim of
the said Elizabeth Hurley to
citizenship in the Cherokee
Nation, I, I, and is not
related either by Blood or
marriage to the said Elizabeth
Hurley and she derived her
indian blood from
her Father who was a full Blooded
Cherokee Indian. The said
Elizabeth Hurley is a Indian
[illegible]

Subscribed and sworn to Before
me this the 25th day of
October 1888 and do further
certify that I am well acquainted
with the said Elisha
Fleming and know him to be
a person of credibility and of
truth and of veracity and that
I have no interest directly or in-
directly in the claim of
the said Elizabeth
Hurley nor [illegible] in the
Cherokee Nation I. T.

[illegible]

1827

Silas Cook
(Spruce family)
Filed Apr. 8th 1896
Wm Jacoway
Secty

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of:

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicant is entitled to citizenship.

Respondent notwithstanding his above said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, a Tahlequah I. T., a package which contained a true copy of the application of Lucy Fields for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Corpl Riley, Wm Rice Smith Jones, Jno W. Jones

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J N Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

W H Dobbs Notary Public

My Commission expires Mar 7 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner, [illegible] earnestly and respectfully represents that she is a [illegible] Cherokee Indian by blood, deriving the same from her lineal ancestor, the late [illegible] through [illegible] who was a son of [illegible]

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] age [illegible] years residence [illegible] in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of a [illegible] the [illegible] of the [illegible] Indian heirs [illegible] age [illegible] interest [illegible] brothers 16 years [illegible] Indian [illegible] years [illegible]

Attesting witnesses,

[illegible] [SEAL.]

[illegible] [SEAL.]

Most Respectfully Submitted,

her
[illegible] [SEAL.]
mark

STATE OF [illegible]
COUNTY OF [illegible]

Personally appeared before me, [illegible] a [illegible] and for said county in the State aforesaid, [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the [illegible] day of [illegible] 1896

her
[illegible] [SEAL.]
mark

Attesting witnesses,

[illegible] [SEAL.]

[illegible] [SEAL.]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this 10 day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA,
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court.

1

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

POOR ORIGINAL -
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August, A. D. [illegible] appeared before me the undersigned Justice of the Peace in and for the county and State aforesaid, Alfred Price, [illegible] Campler, Ashe county, N. C. and [illegible] personally knew one Ned Sizemore who [illegible] North Carolina, and who [illegible] N. C. and [illegible] Owen who [illegible] Elevins from whom may [illegible] and Catharine was the name of [illegible] Ned Sizemore [illegible] Peak and Cordia [illegible] and said Catharine [illegible] Ned Sizemore also [illegible] Nancy Caldwell and William D. [illegible] and said Catharine Hart was [illegible] also of said [illegible] Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given [illegible] 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand the day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Comanche Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Personally came the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, [illegible] resident of Ashe county, state of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C. That said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where he was located after affiant first knew him but finally made his [illegible] county, N. C., where he and reputedly died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Leadie who married [illegible] Reavins, and lived in Ashe county, N. C.; that said James and Leadie Reavins have several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Comanche Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and Sworn to before me this, the 2nd day of Sept., 1896. M. A. Roberts, Notary Public.

My commission expires, March 1900

#2834

No.....

IN THE MATTER OF

Nancy Fiedler

Claim to Citizenship in Prussia

Vs Crumpler N.C.

(Signature of Petitioner)

Filed Sept 8th 1896

~~Filed Sept 8th~~
1896 A.M. Jacowon
Secy

John Patterson
Silas Creek

Rejected

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Tamsey Hudler who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Tamsey Hudler is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Tamsey Hudler is a daughter of Polly Benn, Cherokee Indian, daughter of Sallie Stamper, who was a daughter of Elizabeth Sizemore who was a daughter of Grass Sizemore who was a Cherokee Indian and a full blood; and is the mother of the following named children: James Hudler, Robert Hudler, Minnie Hudler, Ida Hudler.

Affiant further states that he has known the said Tamsey Hudler for the past 50 years and knows that she was born, reared and treated by her relations, acquaintances and the public generally, as a person having Cherokee blood, and that the complexion, physical appearance, language and manners of the said Tamsey Hudler indicate that the said Tamsey Hudler is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Tamsey Hudler affiant states he has every reason to believe and does believe that the said Tamsey Hudler is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Tamsey Hudler to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Tamsey Hudler.

Attest. Samuel Davis

Subscribed and sworn to before me, this 11 day of Aug. A. D. 1896, and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity

J. P.

My commission expires on the day of 189 .

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. C. [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August 1896.

[illegible]
Clerk Superior Court.

End

Nation's No. 995.

Commission's No

In re Application of

[illegible]

Demurrer and Answer.

26

[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[illegible] Nation's No. [illegible].
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, thereunder, to hear and determine the same.

2nd. That the [illegible] does not state facts sufficient, if true, to show that the applicant [illegible] entitled to [illegible].

Respondent [illegible] demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claim to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the [illegible] Nation, as to the Indian Territory as at present located and defined; that his name does not appear [illegible] authenticated rolls of said Nation; that neither he nor any of his ancestors now [illegible] the Cherokee Nation and Indian Territory, as citizens thereof.

Having filed answer to, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John L. Adair, [illegible] Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible],

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 5th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires Dec. 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner [illegible] earnestly and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his [illegible] ancestor, the [illegible] through [illegible]

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete enrollment as such claimant if the same is found to be valid and correct as herein stated, that he be allowed the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name is [illegible] age [illegible] years residence [illegible] in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of [illegible]

Most Respectfully Submitted,

Attesting witnesses.

[SEAL.] William A. Thompson

[SEAL.]

STATE OF [illegible] }
COUNTY OF [illegible] }

Personally appeared before me, [illegible] a [illegible] for said county in the State aforesaid, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in said petition above are true as stated therein, this the 15th day of [illegible] 1896.

Attesting witnesses. [illegible] [SEAL.]

[SEAL.]

[SEAL.]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this 13th day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the [illegible] claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14th day of August 1896.

[illegible]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared, William Price, a citizen of said county, state of North Carolina, whose postoffice address is Warrensville, N. C., who being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or more years ago he knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry in Ashe county, N. C.; that said Ned Sizemore had come from the home of the Cherokee tribe in Western, N. C., or Geo., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one Peter Hart, and had numerous sons and daughters among whom was Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest, direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

[Signed] his
Attest WILLIAM x PRICE.
J. H. EXETON mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price, and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of The Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 56 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have prun, a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL, DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. J. R. Roberts, Notary Public.

My commission expires, Mar 27 1900

W. M. Thompson
Claimant
Po. Texas, Va.
#2800
Cherokee

(Orphan family)
Filed Sept 8th 1896
Dft. to account
Ordy
Rejected
John Baldwin
Texas Cass
Mo

Affidavit of Witness

State of North Carolina }
County of Ashe }

Before me the undersigned a Justice of the Peace in and for the County and State aforesaid personally came Wesley Blevins who after being duly sworn states that he is [illegible] years of age and a citizen of Ashe County and State of N.C. and that he is personally acquainted with W. M. Thompson who is and applicant for citizenship in the Cherokee Nation I.T. and affiant further states that the said W. M. Thompson is the identical person he represents himself to be in his application for citizenship in said Nation and that the said W. M. Thompson is a son of James Thompson who was a son of Mary [illegible] who was a daughter of Lydia Blevins whose maiden name was Lydia Sizemore a daughter of [illegible] Sizemore a son of Nels Sizemore a full blood Cherokee Indian affiant further states that he has known the said W. M. Thompson for the past 35 years and knows that he is and has been recognized and treated by his neighbors acquaintances and the public generally as a person having Cherokee Indian blood that the complexion physical appearance language and manners of the said W. M. Thompson indicates that the said W. M. Thompson is of Indian blood that from the above facts and circumstances and personal [illegible] made to him by the said Thompson

affiant states he is [illegible] to believe and does believe that the said [illegible] is a married [illegible] and affiant further states that he has no interest whatever in the prosecution of the claim of the said W.H. Thompson Citizen Wife in the [illegible] and that he is not related by Blood, Marriage to the said W.H. Thompson that the said W.H. Thompson is of White and Purchaser Desert West

[illegible]

Sworn to and subscribed before me this the 18th Day of [illegible] I do hereby certify that I am acquainted with the [illegible] and believe him to be credibility and that [illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 18th day of August 1896

P. Blevins
Clerk Superior Court.

End

Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving [illegible] said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of John M. Debord for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis, Alfred Pine, Wm. Pine and Wm. A. Lewis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires Mar. 7 1900

Blaine
Chester Ludden

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dawes Commission

Your petitioner, John M. Debord, earnestly and respectfully represents that he is one thirty second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his mother Siggie Debord who was a daughter of Betty Brooks who was a daughter of Moogy Nash who was a daughter of Catherine Hart, who was a daughter of said Ned Sizemore, a Cherokee Indian by full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for h application for Cherokee Indian citizenship as aforesaid to the Cherokee Nation and asks for a full and c plete investigation of h claim and if the same is found to be valid and correct as herein stated, that he b allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is John Wesley Debord age thirty three years residence Ashe Co in the State of North Carolina postoffice address Sussex County of Ashe Stated N. C. occupation that of a farmer is a married man and has for children namely Wiley Debord aged 11 years, Jessie Debord aged 9 years, Charles Debord aged 7 years, Lina Debord aged 5 years, Rosa Lee aged [illegible] years, Debord aged 3 years in the Debord aged [illegible] months

Attesting witnesses

[SEAL.]

[SEAL.]

Most Respectfully Submitted.

J. M. Debord [SEAL.]

State of North Carolina, }
County of Ashe } ss.

Personally appeared before me, Elisha Davis a justice of the Peace in and for said county in the State aforesaid, John M. Debord the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h said petition above are true as stated therein, this the 4 day of July 1896.

Attesting witnesses

[SEAL.]

[SEAL.]

J. M. Debord [SEAL.]

Subscribed and sworn to before me, a justice of the Peace as aforesaid, on this 4 day of July 1896, and I do certify that I am personally acquainted with John M. Debord the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible], and that I have no interest directly or indirectly in the prosecution of h said claim for Cherokee Indian citizenship and am not related to h by blood or marriage.

Elisha Davis J. P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Elisha Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 7th day of August 1896.

P. Blevins

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of John W. Deboard To Cherokee Indian Citizenship

AFFIDAVIT OF Claimant

North Carolina
State
County of Swain

On this the 14 day of July A. D. 1896 personally before me, Elisha Davis a Notary Public of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared John W. Deboard aged 33 years a resident of Swain County State of North Carolina whose post office is Sussee who being duly sworn according to law, says that he is one fully second Indian by blood and claimant for Cherokee Indian citizenship. Affiant further says on oath that he derives his Cherokee Indian blood from the ancestor, the said Red Sizemore, as set forth in his Petition and Memorial

and further says that he is the grandson of the Sizemore family who were known as Cherokee Indians, and were enrolled by the United States government, by the Court of the Cherokee Nation. Affiant further says that he derives the said Sizemore family known as Cherokee Indians, and were enrolled in the Cherokee tribe of Indians.

Affiant further says he has been informed and believes that the said Sizemore family of Cherokee Indian family of that name has been recognized and treated by the citizens of the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood as is so acknowledged and Cherokee and at least one fully second Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

J. W. Deboard

Subscribed and sworn to before me this 14 day of July A. D. 1896 and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

Elisha Davis

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

[illegible] for the [illegible] of Ashe [illegible] of personally appeared William Price, [illegible] North Carolina, who [illegible] West [illegible] [illegible] office [illegible] of [illegible] Ned [illegible] [illegible] was [illegible] Cher[illegible] [illegible] the [illegible] [illegible] to where [illegible] and his [illegible] [illegible] [illegible]

AFFIDAVIT OF WITNESS.

North Carolina,
Ashe

Samuel Davis
Jan 77
Grayson
Virginia
John M. Deboard
Smoke.
Deboard
John M.,
John M. Deboard who was a son
of Benjamin Deboard who was Ruth Phipps who was
a daughter of Mary Clark, who was a daughter of
Nathan Clark who was daughter of Lucy Jennings
who was a Cherokee Indian of the full blood,
and is the father of the following named minor children
viz: John Deboard, Lewis Deboard, Charles Deboard
Lucy Deboard, Benton Deboard, Mary Deboard
and Nathan Deboard.

John M. Deboard
past 30 years
John M. Deboard
John M. Deboard
John M. Deboard
Cherokee
John M. Deboard
John M. Deboard
Cherokee
John M. Deboard
Samuel Davis

11 Aug. 96

My commission expires

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STATE OF NORTH CAROLINA,
ASHE COUNTY,
ss.

I, DEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C.
Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
attled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
urt, this 7. day of August 1896.

Clerk Superior Court

#2821

No. ...

IN THE MATTER OF

John M. Sims

Claim for Citizenship

Residence

Po Lenoir, N.C.

(Seizure of Furniture)

Filed Sept 8th 1876

Wm. Jacocks
Atty

Rejected

Jno. Williams
Silas Brock
Wm C

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL.]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Gibbs, Notary Public.

My commission expires Mar 7th 1900

End

Nation's No. 1046.
Commission's No
In re Application of

Hollis Bell Rice, et al.

Demurrer and Answer.

£8

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Polly [illegible], et al. Nation's No. 1040.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[signature]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Polly Parman for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wm Price, Alfred Price, Harrell Price W. C. Lewis J. P. Parman & Stephen H. P.

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. T. Hutchings Notary Public

My Commission Exp. Feb. 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ..., earnestly and respectfully represents that ..... is ..... Cherokee Indian by blood, deriving the same from ... lineal ancestor, the late ....., through .....

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for ... application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of ... claim and if the same is found to be valid and correct as herein stated, that ... be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ....., age ..... years.

residence ....., in the State of ....., postoffice address .....

..... County of ..... State of ..... occupation that of a .....

Attesting witnesses.

.....[SEAL.]

.....[SEAL.]

STATE OF .....
) ss.
COUNTY OF .....

Most Respectfully Submitted.

.....[SEAL.]

Personally appeared before me, ..., the petitioner in the above in and for said county in the State aforesaid, ... petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in ... said petition above are true as stated therein.

this the ... day of 1896

.....[SEAL.]

Attesting witnesses.

.....[SEAL.]

.....[SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this ... day of ..... ;1896, and I do certify that I am personally acquainted with ..... the said petitioner, and know that ... is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the prosecution of ... said claim for Cherokee Indian citizenship and am not related to ... by blood or marriage

.....

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ... Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal ... said Court, this ... day of ..... 1896.

.....
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bird, in said County, and that he is personally acquainted with Polly Ballinger, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Polly Ballinger is the identical person he represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Baldwin

Subscribed and sworn to before me this 2nd day of September, A. D., 1896.

W. A. Jobes, Notary Public.

My Commission expires, March 7, 1900.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Lewis, Notary Public.

My commission expires (Mar) 1900

#2868

No. . . . . .

IN THE MATTER OF

[illegible]

Po Stanwix N.Y.

Petition

(Supreme papers)

Filed Sept 7 1896

A S McClennan

Clerk

Jotham D. Mann

Silas Cornell

Atty

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF .....

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that he is ... years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said ..... is ...

Affiant further states that he has known the said ..... for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest.

....

Subscribed and sworn to before me, this ... day of ..... A. D., 1896, and I further certify that I am well acquainted with the said ..... and know h... to be a person of credibility and of truth and veracity.

....

My commission expires on the ..... day of ..... 189...

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ..... 1896.

....
Clerk Superior Court.

End

Nation's No. 1097.

Commission's No

In re Application of

Virgil Davis, et al.

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Virdie Lewis, et al.

Nation's No. 1097.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Mitchell, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day Septem'ber, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Biddie Davis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Lucy, Alfred Rice, Wm Rice, Samuel Davis, Wm A. Lewis & Wesley Rice;

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Mar. 1 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ..., earnestly and respectfully represents that he is .....
....., Cherokee Indian by blood, deriving the same from h lineal ancestor, the late
....., through

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for h application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of h claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years.
Native of ..... in the State of ....., postoffice address .....
..... County of ..... State of ..... occupation that of a

Most Respectfully Submitted,

Attesting witnesses,

..... [SEAL.]
..... [SEAL.]

..... [SEAL.]

STATE OF .....
COUNTY OF ..... } ss.

Personally appeared before me, ... a .....
and for said county in the State aforesaid, ... the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in h said petition above are true as stated therein
this the day of 189 .

Attesting witnesses.

..... [SEAL.]

..... [SEAL.]

Subscribed and sworn to before me, a as aforesaid, on this day of
189 , and I do certify that I am personally acquainted with the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of and that I have no interest directly or indirectly in the prosecution of h said claim for Cherokee Indian citizenship and am related to h by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this day of August, 1896.

..... Clerk Superior Court

POOR ORIGINAL -
BEST AVAILABLE COPY

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

OF ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF .....

STATE OF .....
COUNTY OF ..... } ss.

On this the ... day of ..... A. D. 189.., personally before me .....
..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..... aged ..... years, a resident of .....
county, and State of ..... whose postoffice is .....
being duly sworn according to law, says that she is ..... Indian by .....
claimant for ..... Indian citizenship. Affiant further says on oath .....

.....

.....

.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Fort Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, of Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wanford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W A Scales, Notary Public.

My commission expires March 1st 1900

28484

IN THE MATTER OF

No Doc No.

(Sippmontain)

Filed Sept 8th 1896

W. M. Jacoway

Dep

Repealed

John Brannon

Clerk

By

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ....., who after being by me duly sworn states that he is years of age, and a citizen of .....County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said ..... is

Affiant further states that he has known the said ..... for the past years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest.

Subscribed and sworn to before me, this ..... day of ..... A. D. 189 , and I further certify that I am well acquainted with the said ..... and know him to be a person of credibility and of truth and veracity.

My commission expires on the ..... day of 189

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of ..... 1896.

Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

Nation's No. 1061.
Commission's No
In re Application of

Wilcox Thompson, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of [illegible] Nation's No. 1061.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now recently, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Foulot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the [illegible] day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of William Thompson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible], and in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the [illegible] day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires [illegible]

Petition and Memorial
for Cherokee Indian citizenship

To the Hon. Commissioner

your petitioner Wilson Thompson it is shown and he believes
That he is one thirty second Cherokee Indian by blood deriving
the same from his Grand mother the late Nelly Wiggington
Thompson a native Indian woman a born of Mary
Thompson who was married to Marm Glenn an Englishman
of Settle Glenn whose mother name was Sophia Stinnett
a daughter of Chief Stinnett who was a born of Nelly
Wiggington a full blood Cherokee Indian and petitioner
therefore submits to your Honorable body the above statement
of facts and prays [illegible] for Cherokee Indian
citizenship as herein set forth in the Cherokee Nation and ask
your full and complete investigation [illegible] and
decree as prayed for [illegible] so your petitioner shall
be entitled to the rights privileges and immunities
of Cherokee citizens [illegible] shall name is written
in person on the [illegible] Cherokee Nation
Indian Territory adopted citizen Book with the State of N.C. occupation
that a former Indian is cited [illegible] Cherokee citizenship
Lavinia 17 years Joseph 16 years Rebecca [illegible] 12 years
Mary 10 years Johnnie 8 years Robert 5 years.

Most Respectfully submitted

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that D M Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of [illegible] 1891.

[illegible]
Clerk Superior Court.

No Husk N.C.
#2853
Rye ser 2

(Signmore family)
Final Sept 7th 1896
Pocosin
Archy

John Burdon
Silas Creek
NC

Affidavit of Wilson

State of North Carolina
County of Wake

Before me the undersigned a Justice of the peace in and for the County and State aforesaid personally appeared Wilson Thompson who after being by me duly sworn states that he is 67 years of age and a citizen of the County and State aforesaid, and that he is personally acquainted with Wilson Thompson who is also subscribed as Delegate in the Cherokee Nation and resided within said Nation that the said Wilson Thompson is the identical person who is entitled to all the privileges as a Delegate in said Nation and that the said Wilson Thompson is a son of Hester Thompson who was a daughter of Mary Thompson whose maiden name was Mary Nicholls a Daughter of Captain Nicholls whose maiden name was Lydia [illegible]

[illegible]

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that A M Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17. day of [illegible] 1896

[illegible]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genninness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

(Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M A Liebeck, Notary Public.

My commission expires Mar 27 1900

End

3120

Nation's No. 1411

Commission's No .....

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the ground is the roof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right thereby [illegible] to remain the same.

2nd. That the application [illegible] sufficient in fact to show that the applicant [illegible] entitled to citizenship.

Respondent, now and ever saving to himself all errors, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner claim to derive [illegible] right to citizenship in the Cherokee Nation, is not now and has not been a citizen of the Cherokee Nation, since the treaty of [illegible] to the Indian [illegible] as at present located and denied, that his name does not appear on any of the authentic rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Elijah Thompson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wm. H. Lewis, Wesley Blevins,

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That Affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires Mar 7 1900

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POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF NORTH-CAROLINA, } ss.
ASHE COUNTY.

I, PENDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that 7th
Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court this 24th day of August 1906

P Blevins
Clerk Superior Court

1

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

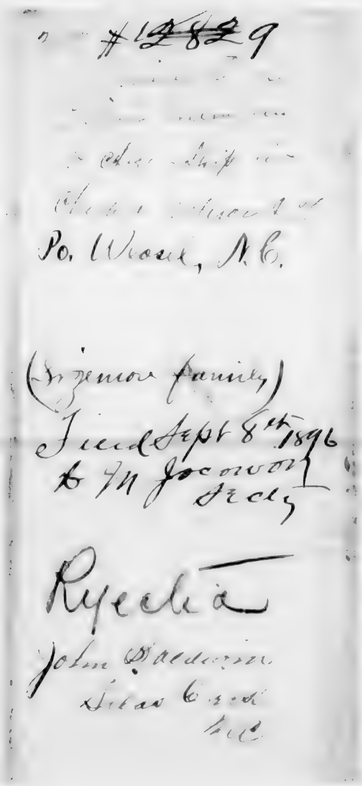
Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. H. Dobbins, Notary Public.

My commission expires March 7th 1900


#12829

Po. Wood, N.B.

(Jr senior family)

Died Sept 8th 1896
b 7th Jan 1820
Aged

Rejected

John Wadleigh
Lot 6 2nd
Sec

End

Nation's No.
Commission's No. 111
In re Application of

[illegible]

Demurrer and Answer.

Form No. 25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Inez E. Leedy for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, Wm Price, Alfred Price Wm A. Lewis, J. M. Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter

J. N. Baldwin

Subscribed and sworn to before me this, the day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Mar. 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To the Hon. Dawes Com.

Your petitioner, [illegible], earnestly and respectfully represents that she is [illegible] Cherokee Indian by blood, deriving the same from her lineal ancestor, the late [illegible] through [illegible]

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible], age [illegible] years, residence [illegible], in the State of [illegible], postoffice address [illegible], County of [illegible], State of [illegible], occupation that of a [illegible]

Attesting witnesses,

[illegible] [SEAL]

[illegible] [SEAL]

Most Respectfully Submitted,

[illegible] [SEAL]

STATE OF [illegible]
COUNTY OF [illegible] } ss.

Personally appeared before me, [illegible] a [illegible] in and for said county in the State aforesaid [illegible], the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein to the best of her knowledge and belief. Sworn to and subscribed before me this [illegible] day of [illegible] 189[illegible].

Attesting witnesses,

[illegible] [SEAL]

[illegible] [SEAL]

[illegible] [SEAL]

Sworn to and sworn to before me, a [illegible] as aforesaid, on this [illegible] day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the petitioner, and know that she is a credible person and entitled to full faith and credit before any tribunal in the State of [illegible] and that I have no interest directly or indirectly in the [illegible] for said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Sandifer, Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe,) ss:

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the state aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Crumberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydilia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydilia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. J. M. Webbs, Notary Public.

My commission expires Mar 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared W. T. Baldwin, who after being by me duly sworn states that he is 30 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Jefferson, in said County, and that he is personally acquainted with Freeman E. Reedy, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Freeman E. Reedy is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 25 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

W. T. Baldwin

Subscribed and sworn to before me this 3 day of September, A. D., 1896.

W. A. Gibbs, Notary Public.

My Commission expires, March 7, 1900.

Land #2878

No.

IN THE MATTER OF

Isaac & Reed

Po, Person, N.C.

Affidavits

(Disinterested)

Filed Sept 8 1896

A.M. Jeffreys

Deputy

John Bachum

Sleepy Creek

N.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF ... } SS.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared ... Shackleford ... who after being by me duly sworn states that he is 76 years of age, and a citizen of ... Lake ... County, and State of ... N. C. ... and that he is personally acquainted with ... Sugar E. Reed ... who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Sugar E. Reed is the identical person he represents himself to be in her application for citizenship in said Nation, and that the said Sugar E. Reed is a Quarter Cherokee Blood ... is a Quarter Cherokee Blood who was a ... Quarter Cherokee Blood who was a Son of ... Sugar Superior who was a full blood Cherokee Indian ...

Affiant further states that he has known the said Sugar E. Reed for the past 20 years, and knows that She is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Sugar E. Reed indicate that the said Sugar E. Reed has said Indian blood. That from the above facts and circumstances and from statements made to him by the said Sugar E. Reed affiant states he has every reason to believe and does believe that the said Sugar E. Reed is of the Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Sugar E. Reed to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Sugar E. Reed ... but is to the ... County.

Attest, Alfred Pepper Reed
his mark

Subscribed and sworn to Before me, this ... day of ... A. D. 1896, and I further certify that I am well acquainted with the said Alfred Pepper Reed and know him to be a person of credibility and of truth and veracity.

L. Hurley J.P.

My commission expires on the ... day of ... 189...

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of ... 1896.

P. Blevins
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

23

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that:

through whom the petitioner claim to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Frank L. Lewis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Oscar Lewis, Wm R. Lewis, Mrs Sarah A. Lewis, Wm C. Lewis, J. V. Lewis, Nesby Brown

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires Dec. 7 1899.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ..., earnestly and respectfully represents that she is .....
....., Cherokee Indian by blood, deriving the same from h[illegible] lineal ancestor, the late .....
....., through

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for h[illegible] application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of h[illegible] claim and if the same is found to be valid and correct as herein stated, that [illegible]he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ....., age ....., years residence ....., in the State of ....., postoffice address ..... County of ..... State of ..... occupation that of a

Attesting witnesses,

Most Respectfully Submitted,

..... [SEAL]
..... [SEAL]

..... [SEAL]

STATE OF .....
COUNTY OF ..... } ss.

Personally appeared before me, ..., a ..... in and for said county in the State aforesaid, ..., the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h[illegible] said petition above are true as stated therein.

this the day of 189

Attesting witnesses,

..... [SEAL]

..... [SEAL]

[SEAL.]

Subscribed and sworn to before me, a [illegible] as aforesaid, on this day o[illegible] 189[illegible], and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of and that I have no interest directly or indirectly in the [illegible] said claim for Cherokee Indian citizenship and am not related to h[illegible] by blood or marriage.

STATE OF NORTH CAROLINA,
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896

.....
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or G.... some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared F G Lewis, who after being by me duly ~~sworn~~ affirmed states that he is 44 years of age, and a resident of ~~[illegible]~~ County, and State of ~~North Carolina~~ Georgia, whose postoffice address is Mesquite, in said County, and that he is personally acquainted with Frank L Lewis, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Frank L Lewis is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

F G Lewis

Subscribed and ~~sworn~~ affirmed to before me, this [illegible] day of September, A. D., 1896.

W H Roberts, Notary Public.

My Commission expires, March 7, 1900.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Gobble Notary Public.

My commission expires March 9 1900

#2847

IN THE MATTER OF

Frank L Lewis

Cherokee

vs

Vs Freedmen

(Sequoyah family)

Filed Sept 8th 1896

H. M. Locowoy

Rejected

John Adair

Lees Creek

NC

AFFIDAVIT OF WITNESS.

STATE OF N. C. }
COUNTY OF Wake } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Wesley Blevins, who after being by me duly sworn states that he is 67 years of age, and a citizen of the County, and State of N.C., and that he is personally acquainted with F. L. Lewis, who is an applicant for Citizenship for Eliza Jane Minor Baldwin in the Cherokee Nation, I. T., and affiant further states that the said F. L. Lewis is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said F. L. Lewis is Married to Margaret A. Lewis a daughter of W H Blevins a Son of Armstrong Blevins a Son of Lydia Blevins whose maiden name was Lydia Sizemore a daughter of Owen Sizmore a Son of Red Sizmore a whole blood Cherokee Indian

Affiant further states that he has known the said Margaret A. Lewis for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said M. A. Lewis indicate that the said M. A. Lewis is of Indian blood. That from the above facts and circumstances and from statements made to him by the said M. A. Lewis affiant states he has every reason to believe and does believe that the said M. A. Lewis is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said M. A. Lewis to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said M. A. Lewis

Attest. W. Blevins

Subscribed and sworn to before me, this 14 day of Aug A. D. 1896, and I further certify that I am well acquainted with the said Dr. Wesley Blevins and know him to be a person of credibility and of truth and veracity.

My commission expires on the day of 189

STATE OF NORTH CAROLINA, }
WAKE COUNTY, } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that P. Williams Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17th day of August 1896

P Blevins
Clerk Superior Court

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY. }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Wesley D. Singer for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Elijah Pinson, Wm. H. Pinson, Samuel Frank Wm. A. Lewis J. N. Baldwin, Elisha Brown

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. A. Shields Notary Public

My Commission Expires Mar. 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Dawes Commission

Your petitioner, [illegible], earnestly and respectfully represents that he is [illegible], Cherokee Indian by blood, deriving the same from his [illegible] ancestor, the [illegible] through [illegible] Elizabeth Johnson [illegible] Benjamin Caldwell [illegible] Catherine Hart [illegible] Cherokee Indian —

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible], age [illegible] years residence [illegible], in the State of [illegible] postoffice address [illegible] County of [illegible] State of [illegible] occupation that of a [illegible] children to wit [illegible] Elizabeth [illegible] Estes [illegible] Bertie [illegible] Bynum [illegible] Minnie [illegible]

Attesting witnesses,

[illegible] [SEAL.]

[illegible] [SEAL.]

Most Respectfully Submitted,

[illegible] [SEAL.]

STATE OF [illegible]
COUNTY OF [illegible]

Personally appeared before me, [illegible] a [illegible] notary for said county in the State aforesaid, [illegible], the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the day of 189 .

Attesting witnesses,

[illegible] [SEAL.]

[SEAL.]

[SEAL.]

Subscribed and sworn to before me, a [illegible] aforesaid, on this day of 189 , and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BUEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 56 years, whose postoffice address is Crampler, Ashe county, N. C and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydda Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Nee. Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON. [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

Nation's No. 1066.

Commission's No.

In re Application of

Wesley Bolinger, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[illegible], [illegible].

Nation's No. 1066.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent now waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner's claim to derive their right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Mastin & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

[illegible]

NOTARY PUBLIC.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wanford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. H. Lobaits Notary Public.

My commission expires, March 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose post office address is Ore, NC, in said County, and that he is personally acquainted with Edward Singer, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Edward Singer is the identical person he represents himself to be in h is application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by h is neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states, he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. F. Baldwin

Subscribed and sworn to before me this 3 day of September, A. D., 1896.

W. A. Dobbs, Notary Public.

My Commission expires, March 7, 1900

Wiley & Holsinger
Claimant
To Chinese Exclusion
Citizenship

Re Eyc N.C.
#2843
(Virginia family)

Filed Sept 8th 1896
E M Jacoway
Atty

Rejected

John Brodrick
Atlas Block
N.C.

Deposition of Witness
State of Virginia
Grayson Co

Before me J A Finley a Justice of the Peace in and for the Co & State aforesaid Personaly appeared Elish Blevins who after being duly Sworn States that he is 74 years of age and a resident of Ashe Co North Carolina That he is personaly acquainted with Wiley Dolinger who is an applicant for Citizen Ship in the Cherokee nation Grd & And that he knows from his own personal knowledge that he is the identical person he represents himself to be That the said Wiley Dolinger is a Son of Elizabeth Dolinger Who was a Daughter of Catharine Caldwell Who was a Daughter of Catharine Hart Who was a Daughter of Ned Sizemore a Full Blood Cherokee Indian affiant further States on oath That he has known the said Wiley Dolinger for the past 25 years and knows that he was known & recognized and treated by his neighbors and the public generally as a person of cherokee Indian blood That the said Ned Sizemore Emigrated from the Cherokee reservation in NC and

That the Complexion Physical appearance
language and manners of the said
Wiley D Olinger indicate that he is of
Cherokee Indian blood and from the
facts and circumstances and from
Statements made by the said Wiley
D Olinger affiant has every reason to
believe and do believe that said D Olinger
Belongs to the Cherokee Indian Blood
Affiant further States on oath that he
has no interest directly or indirectly
in the prosecution of the
Enrollment of the Claims of the
said Wiley D Olinger to citizenship
in the Cherokee Nation
J. F. Ansley is not related to him by blood
or marriage to the said Wiley D Olinger
and that he derives his Indian Blood
from his Mother and is of
Indian and White descent

Elisha [illegible] Downing

Subscribed and Sworn to before
me this Oct. the 25. 1898 and I
further Certify that I
am well acquainted with the Said
Elisha [illegible] and now him to be a Person
of Credibility and truth and Veracity
and that I am not
interested directly or indirectly in the
Prosecution of the Claims of the said
Wiley D Olinger for Citizenship in
the Cherokee Nation I. T.

J. F. Ansley J P

End

Nation's No. 44

Commission's No

In re Application of

Demurrer and Answer.

23

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Franklin P. Davis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel P. Davis, Alfred Davis, Wm A Davis & Davis J. H. Dalton & Wm M Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission

Your petitioner, Franklin P. Davis, earnestly and respectfully represents that he is One Sixty Second, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his father Robert Davis who was a son of Jennie Davis who was a daughter of Margery Nash, who was a daughter of Catharine Ned who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Franklin Pierce Davis, age Sixty-nine years residence Draper P.O., in the State of Virginia postoffice address Draper Pulaski Co. County of Duke State of North Carolina occupation that of a farmer

Most Respectfully Submitted,

[SEAL]

Attest witnesses,

[SEAL]

[SEAL]

State of North Carolina }
County of Duke } ss.

Personally appeared before me, W. S. Hooper a Justice of the Peace in and for said County in the State aforesaid, Franklin P. Davis, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein.

This the 11 day of Aug. 1896.

Attest witnesses,

[SEAL]

SEAL

SEAL

State of North Carolina } ss.
County of Duke }

Sworn to before me, a Justice of the Peace as aforesaid, on this 11 day of Aug. 1896, and I do certify that I am personally acquainted with Franklin P. Davis the said and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

W. S. Hooper J. P.

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. S. Hooper, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14. day of August 1896

P. Blevins

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of Franklin P. Lewis To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF Indian Territory }
COUNTY OF ss. }

On this, the 11 day of Aug., A. D. 1896, personally before me W. C. Hook, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oths, appeared Franklin P. Lewis, aged 39 years, a resident of Grayson unty, and State of Virginia, whose postoffice is Grayson Creek NC, who after ing duly sworn according to law, says that he is one fifty-second Indian by blood and claimant for Cherokee Indian citizenship. Affiant further says on oath that he derives his Indian blood from his mother, the late [illegible] a Cherokee Indian of the Going Snake District, as set forth in his Petition and Memorial

and is a direct lineal descendant of the Lewis family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Lewis family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one fifty-second Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Franklin P. Lewis

Subscribed and sworn to before me, this 11 day of Aug. A. D. 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

W. C. Hook J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C. who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co. Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed]
J. H. BARTON. his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Brooks, Notary Public.

My commission expires, May 9th 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barker, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Heaversford, in said County, and that he is personally acquainted with Franklin P. Davis who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Franklin P. Davis is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barker

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.

W. A. Dobbs
Notary Public.

My Commission expires, March 7, 1900.

#2838

IN THE MATTER OF

[illegible]

vs.

St. Clair Creek [illegible]

Rejected

(Signature family)

Rec'd Sept 7th 1796

A.S. McClenan

Comr

John Williamson

Silas Dodd

Ma

AFFIDAVIT OF WITNESS.

STATE OF North Carolina)
COUNTY OF Buncombe) ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Penn who after being by me duly sworn states that he is 41 years of age and a citizen of Buncombe County, and State of North Carolina and that he is personally acquainted with Franklin P. Davis who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Franklin P. Davis is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Franklin P. Davis is a son of Robert Davis who was a son of Penn Davis who was a daughter of Margery Hawk who was a daughter of Catharine Hyde who was a daughter of Mrs Margaret Hyde who was a pure blooded Cherokee Indian of the full blood.

Affiant further states that he has known the said Franklin P. Davis for the past 35 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Franklin P. Davis indicate that the said Franklin P. Davis is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Franklin P. Davis affiant states he has every reason to believe and does believe that the said Franklin P. Davis is of the Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Franklin P. Davis to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Franklin P. Davis

Attest.

William Penn

Subscribed and sworn to before me this 7th day of August A. D. 1896, and I further certify that I am well acquainted with the said William Penn and know him to be a person of credibility and of truth and veracity.

W. H. Hyde J.P.

My commission expires on the day of 189

COUNTY)

I, CHARLES BLEVINS, Clerk of the Superior Court of said county, do certify that W. H. Hyde, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17th day of August, 1896.

C. Blevins
Clerk Superior Court

End

Nation's No. [illegible]

Commission's No. [illegible]

In re Application of

[illegible]

Demurrer and Answer.

[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claim to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now living, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Joyce Phipps for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of herself, Samuel Davis Alfred Davis Wm. A. Davis J. H. Sexton and Wm Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. A. Dobbs Notary Public

My Commission Expires Mar 7th 97.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

The petitioner, ..., earnestly and respectfully represents that he is ... Cherokee Indian by blood, deriving the same from his ... lineal ancestor, the ..., through ...

The petitioner therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..., age ... years, residence ..., in the State of ..., postoffice address ..., County of ..., State of ..., occupation that of a ...

Attesting witnesses,

..... [SEAL.]

..... [SEAL.]

Most Respectfully Submitted,

Joseph Phipps [SEAL.]

STATE OF .....
COUNTY OF .....

Personally appeared before me ... a ... in and for said county in the State aforesaid, ... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in said petition above are true as stated therein.

Subscribed this, ... day of ... 189...

Joseph Phipps [SEAL.]

Attesting witnesses,

..... SEAL.

..... SEAL.

Sworn to and sworn to before me, a ... as aforesaid, on this ... day of ..., and I do certify that I am personally acquainted with ... and know that ... is a credible person and entitled to full faith and credit before any court in the United States of ..., and that I have no interest directly or indirectly in the said claim for Cherokee Indian citizenship and am not related to ... by blood or marriage.

L. Hurley

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ... Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of ..., 1896.

..... Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

.... To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF .....
COUNTY OF .....

On this, the ... day of ..., A. D. 189..., personally before me ...
... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..., aged ... years, a resident of ... county and State ..., whose postoffice is ..., who after being duly sworn according to law, says that ... he is ... Indian by ... and a claimant for ... Indian citizenship. Affiant further says on oath that ...

and is a direct line descendant of the ... family, whose name ... he believes appear upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe ... Affiant further says that ... he believes the said ... to be of Cherokee Indian blood, and were members of the ... tribe of Indians.

Affiant further says ... he has been taught and has heard from ... earliest youth that ... he is a descendant ... Indian family and that affiant ... has been recognized and treated by ... neighbors and the public generally as a person of ... Indian blood and that from ... complexion and physical appearance ... he has every reason to believe and does believe that ... he is of ... Indian blood and is an admixture of ... and Cherokee and at least one ... Indian by blood.

Affiant further says the above statements are true to the best of ... knowledge and belief.

Affiant

...

Subscribed and sworn to before me, this ... day of ..., A. D. 189..., and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

... U. S.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintance; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin: that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew said Indian, made his home in Ashe county, N. C., where he died, as affiant is informed. Said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest: [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court and seal of Court.

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Notary Public.

My commission expires, March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Weaversford, in said County, and that he is personally acquainted with Joyce Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Joyce Phipps is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barton

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.

W. A. Dobbs, Notary Public.

My Commission expires, March 7, 1900.

#2862

1

No. ...

IN THE MATTER OF

[illegible]

Claim to [illegible]

Nation [illegible]

Vs. Sioux Sch No

(Sequitur [illegible])

Filed Sept 7/896

A.S.M. Chmn

Amr

John Baldwin

Silas Creek

NC

AFFIDAVIT OF WITNESS.

STATE OF [illegible]
COUNTY OF [illegible]

Before me, the undersigned [illegible] and for the County and State aforesaid, personally appeared William Price who being by me first duly sworn, doth depose and say that he is [illegible] years of age, [illegible] County and State aforesaid, and that he is personally acquainted with [illegible] who is an applicant for citizenship in the [illegible] Nation, I. T., and affiant further states that the said [illegible] is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said [illegible]

[illegible]

Witness: J. H. Baxter

William his X Price
mark

William Price

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of [illegible], 1896.

.....
Clerk Superior Court.

End

Nation's No. 102

Commission's No

In re Application of

Wilder Wilder

Demurrer and Answer.

fore the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Allen Gilbert

Nation's No. 692

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

~~Respondent, for a further and~~ complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Keating & Rendlebrock Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the . . . . day of . . . . 1896.

Executive Secretary

Allen Gilbert
vs.
Secretary of ...

Before the Commissioner on Citizenship Oct. 17th., 1930.
Sitting at Baltimore.

... Assistant U.S. Attorney, for the Naturalization, and files the following complaint in the matter of Gilbert, who has been served with notice ... [illegible] ... has been duly and legally not so declared an American ... the Naturalization Act ..." Said Gilbert arrived ... [illegible] ... from ... at the port of ... [illegible] ... sitting in the Nation - Said Citizen ... not having complied with the requirements of the Act regulating ... [illegible] ... after the expiration of ... [illegible] ... after and since said ... [illegible] ... Therefore ... [illegible] ... Assistant U.S. Attorney.

... for ...

([illegible])
|
(Calendar [illegible], Page 104.

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148. Allen Gilbert | Mr. [illegible] on appeal fr... ruling of Asst. C.
vs |
[illegible] | [illegible] 1st Mo. Dist. Ct., Oct. [illegible], 1.78.

No. 473

Allen Gilbert

v.

Delaware Nation

Filed Aug. 21-86

H. M. Jamison

Secy.

Coffeyville, Kan.

Grant

for Allen

Dalton, Legion

Exhibit A.
Case Allen Gibbert
Charlotte Co Chancery

Affidavit of W. Hildebrand

[illegible]

Attest
John Smith
Clerk Ramsdell
District P.M.

POOR ORIGINAL -
BEST AVAILABLE COPY

[illegible] of said [illegible] Canada [illegible]

[illegible]

Personally before me the [illegible]
Police Magistrate for the City of Toronto in the District
of Home in the Province of Canada aforesaid came the
Reverend Enoch Wood of Toronto in the District
aforesaid who after being duly sworn on the Holy
Evangelists of Almighty God deposeth and saith
that he is a Minister of the Methodist Episcopal
Church in Canada and that he was ordained
according to the rites and usages of the said
Church and that he is duly authorized by the
Laws of this Province to perform the ceremony
of Marriage between persons desiring to be joined
together in the holy bonds of Matrimony and
that he hath been informed and believes that
Thomas Dickson of the City of Toronto in the
District aforesaid Esquire hath applied to the
Clerk of the Peace in and for the said District
for a License to be married to Mary Ann Hamilton
of the City of Toronto aforesaid Spinster and
that the said Thomas Dickson hath complied
with the requisitions of the Statute in such
case made and provided and that the said
Clerk of the Peace hath granted a License
accordingly and this deponent further saith
that he hath been informed and believes that
the said Thomas Dickson and Mary Ann Hamilton
are both of the full age of twenty one years
and that neither of them is under the age of
twenty one years and that neither of them
is a Ward of Chancery and that there is no
lawful impediment to the said intended Marriage
and that the said Thomas Dickson and Mary Ann
Hamilton have been duly published in the Church
of this deponent according to the Rites and
Ceremonies of the Methodist Episcopal Church
in Canada and that this deponent hath
solemnized the said Marriage between the said
Thomas Dickson and Mary Ann Hamilton
and this deponent further saith that he
hath been informed and believes that
the said Thomas Dickson and Mary Ann Hamilton
have been living together as Husband and Wife
ever since the said Marriage and this deponent
further saith that he hath been informed
and believes that the said Thomas Dickson
and Mary Ann Hamilton have been duly
published in the Church of this deponent
according to the Rites and Ceremonies of the
Methodist Episcopal Church in Canada

requisite incident to the completion of the marriage aforesaid as required by law

And I do further certify that, in lieu of the aforesaid Statement made by Affiant and because the circumstances prevent me from administering the requisite oath of allegiance to him (Affiant) by the Clerk issuing a license to marry, can only be complied in part to all intents and purposes by the administration of said oath aforesaid & me having authority to administer the same, - the said oath of allegiance has been this day duly administered by me to him, him (Affiant), according to the form in such cases made and provided by law.

Given under my hand and official seal this [illegible] day of [illegible] A.D. 1911.

[illegible]

Affiant
John [illegible]
Clerk Canadian Dist.
[illegible]

Exhibit C.

Affidavit

POOR ORIGINAL -
BEST AVAILABLE COPY

Cherokee Nation
Canadian District
Personally appeared before me
Jo. M. R. Smith Clerk of the Court
of the afore said District and Nation
one Allen Gilbert who has made
his request of this office three
several times for his marriage
license or a copy of his marria-
ge to miss H. C. West in the year
1869. This office has made diligent
search of all the books & records
and have failed to find any record
pertaining to said marriage of Allen
Gilbert and Miss H. C. West. The book
in this office showing dates of that
time has evidence of many missing
leaves which may of been records
the afore said marriage which is
now not to be found
This April 20th 1886

John Smith
Clerk Canadian Dist
C.N.

POOR ORIGINAL -
BEST AVAILABLE COPY

Coffeeville Kansas Nov 15th 1886

To the Hon Commission of the United States,
appointed to negotiate with the Five Civilized Tribes

Gentlemen

Up petitioner represents that on Oct 3. 1869 he was duly married to Miss. Hamilton C West, a recognized Cherokee by blood, that the petition required by Cherokee law was adhered to in due form and the proper Clerk of the Court Mr C. P. Brewer issued the license and on the date above Oct 3 1869 Rev Mr. Hildebrand performed the marriage ceremony (Exhibit A) The Clerk neglected to have me make oath to the issue oath to obey the laws & raise these children Hamilton recognized as Cherokees by this my wife Mr. Lucy Children enrolled as Cherokees are Ruth aged 24 Geo. aged 19 Hamilton C. Gilbert, James 16 years old.

Since the time of marriage some one raised the question that the Clerk failed to have me qualify to obey the Cherokee law & issued a license that was void as that I was not a Cherokee Citizen by marriage. Then my wife herself, on July 27, 1886 took the oath of allegiance to the Cherokee laws with a view to establishing our citizenship (Exhibit B) The Clerk of Canadian District certifies that the recording marriage was not to be found the pages where it should have been recorded being missing (Exhibit C)

Relying on the license regularly issued me by the duly authorized agent the Clerk of the Cherokee Nation Mr C. P Brewer & the then Judge of the Canadian District Judge Mr. Hildebrand, a Cherokee Judge who on the license married me, I spent the labor of my life & expended large amounts the proceeds of my labor &

POOR ORIGINAL
BEST AVAILABLE COPY

vessel a Character to family of three Children
I am a citizen of the United States
Baltimore
Petitioner on this vessel for my enrollment
as an inland vessel, & the Character taken
I am over 63 years of age & was in Commercial
Service of the United States
If I be found not justly entitled to enrollment
I want full compensation for my improvements
as provided in the Act of Congress of 1791
as amended by Congress of July 1st
to me at my home place
The hull of which I am now owner
being a copy hereof to Hon. Samuel H. Mayer as required
by the Honorable Commissioner
Respectfully
Allen Gilbert

State of Maryland
City of Baltimore, to wit:
This day personally appeared before me, a Notary Public in and for the City aforesaid, Allen Gilbert, the petitioner named in the foregoing petition and made oath in due form of law that the matters and facts set forth in the said petition are true to the best of his knowledge and belief.
As witness my hand and seal this 1st day of June 1896.
Notary Public

Petition of Allen Gilbert
Baltimore
Allen Gilbert
Filed June 1st 1896

Yours truly

Allen. Gilbert.

Mississippi }
Jackson }
Northern Division }

This day personally appeared before me Allen Gilbert, known well known who having been duly sworn to tell the truth the whole truth testified as above subscribed. In witness my hand & official seal on this the 10th day of August 1896.

Notary Public

Affidavit of Attempted Abduction

Allen Gilbert

Filed

9/15/96

End

Nation's No.

Commission's No.

In re Application of

[illegible] [illegible].

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. 1088

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Sidney Lee Ivin for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, David Evans, Wm A. Lewis, J. H. Baldwin & Wm Ivin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. A. Dobbs Notary Public

My Commission Expires Dec 7th 1899

[illegible]

To the Hon- [illegible] Commission
[illegible] petition [illegible] Ludlow
[illegible] respectfully [illegible] heirs
and duly [illegible] [illegible]
[illegible] road leading the same from
[illegible] annual interest the late Red
[illegible] Sigismund [illegible] upon his all this
[illegible] Indian Land [illegible] who is a [illegible]
[illegible] nullo Blue [illegible] who was a son
[illegible] Squire Blevins who was a
Daughter [illegible] Sigismund
[illegible] who was a son Red Sigismund
[illegible] full blood [illegible] Cherokee
[illegible] Nation [illegible] petitioners submit
[illegible] your Hon- body the [illegible] road
[illegible] take [illegible] facts [illegible] grounds for
[illegible] their [illegible] for [illegible] Cherokee
Indian [illegible] citizenship [illegible] upon
said [illegible] the [illegible] Nation [illegible]
[illegible] has a full [illegible] complete [illegible]
[illegible] Litigation [illegible] Claim [illegible] if the
same is found [illegible] valid [illegible]
[illegible] Cherokee Nation should [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] rights [illegible] immunities [illegible] the
Citizens and [illegible] Petitioners
full [illegible] - Sidney Ludlow
[illegible] Heirs [illegible]

Attestation witnesses

State of VC
County of Sek-J

Attest

(Seal)

Subscribed & sworn
to before me a justice of
the peace, as a foresaid.
this 5th day of Aug 1896
& I do certify that I am
personally acquainted with
Sidney Lucas the said
petitioner & know that he
is a creditable & credible
person. Credit to be given to
the statements & facts
herein contained & that I
have no interest directly or
indirectly in the success
of this said petition & that the
relation (if any) which
may exist between him & me
is not related to him by blood
or marriage

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... whose name is signed to the foregoing certificate, was at the time of so doing ..... Esq., whose name is signed to the foregoing certificate, w. at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August 1896.

..... Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his WILLIAM x PRICE. mark.
J. H. BARTON.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

Sidney Vendles
Claimant 3127

Po Weaver N C

#3127
(sixteen families)

7

Rejected

John Baldwin
Texas Creek
N C

State of [illegible]
County of [illegible]

Before me the undersigned a
[illegible] of the peace [illegible] Lake
State of [illegible] personally appeared
Sidney Lucas - who after being by
me duly sworn & talk, that he
is [illegible] years old - and a citizen of Lake
Co. [illegible] And that he is personally
acquainted with Sidney Lucas
who is a applicant for Citizenship
in the Cherokee Nation, I. T. and
of first states that the said
Sidney Lucas is the identical
person that he represents himself to
be in his application for Citizen-
ship in said Nation and that
the said Sidney Lucas is a
son of Wallace Lucas who
was a Cherokee by blood Delia
who was a [illegible] - said Delia being
who was a Cherokee by blood
Elizemare who was a [illegible]
Richmond full blood Cherokee
Further State that he was well
the said Sidney Lucas 40 years
& knows that he is [illegible] has been
recognized and treated [illegible] this
[illegible]

said the public generally as a fact that the said Indian blood & that the Complexion, [illegible] appearance, language & manners of the said Sidney Lusker indicate that the said Sidney Lusker is of Indian blood that from the [illegible] circumstances and statements made to him by the said Sidney Lusker & others the deponent states he has reason to believe & does believe the said Sidney Lusker is of Indian blood - that he is not a Native State & has no interest in the prosecution of the said Sidney Lusker - to Citizenship in the [illegible] Nation - & that he is not related by blood or otherwise to the said Sidney Lusker - is white & Caucasian [illegible]

Subscribed & sworn to
before me this 8th day of
Aug - 1896 -

And I further Certify
that I am well acquainted
with the said Wesley Blevins
& know him to be a person
of Credibility and of truth
& veracity,

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of ..... 1896.

P. Blevins

Clerk Superior Court

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. C. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Jefferson, in said County, and that he is personally acquainted with Sidney Everett, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Sidney Everett is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by h[illegible] neigabors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. C. Baldwin

Subscribed and sworn to before me, this [illegible] day of September, A. D., 1896.

M. A. Gibbs, Notary Public.

My Commission expires, March 7, 1900.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, who resides at address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he was a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so emigrated with them, those who remained in the east; that he was personally acquainted with one Ned Sizemore, in the Cherokee Nation, and knows that he was allotted land in the Cherokee Nation, and from the genealogy of said Sizemore and his acquaintance with him although knows him to have been a Cherokee Indian by blood and of Cherokee blood; that he knew said Sizemore from about the year 1822. Ned, Carolina, and believes that said Sizemore was one of the Cherokee enrollment Cot about that date, and again in the Arkansas case.

Affiant further states that he knew one James Hart, whom he believes was an unascertained one who married Catharine, the daughter of said Ned Sizemore, and also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of [illegible]. Affiant further states that said Ned Sizemore and his family, with the exception of the Cherokees to the Indian Territory, remained in North Carolina and [illegible] the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to Sizemore and Hart families and was familiar with them, in school and [illegible].

Given under my hand and seal this the day and date first above written.

W. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Brooks, Notary Public.

My commission expires March 5th 1900

End

Nation's No. 1689.
Commission's No.
In re Application of

Elbert [illegible], [illegible].

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Elbon Tre[illegible]l. Nation's No. 1[illegible]49.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Ellen Tucker

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis Wm Price Alfred Price Wm A. Lewis J. M. Baldwin & Elisha Blevins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

M. Dibble Notary Public

My Commission Expires Mar 4th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Hon Senate Com

Your petitioner, Ethan Tucker, earnestly and respectfully represents that he is one sixty second Cherokee Indian by blood, deriving the same from his great ancestor, the following named person through his Great Grandfather Michale Tucker who was a Daughter of Billy Blevins who was a Son of Captain Blevins who was a Son of Dan Lyon who was a Son of Ed Lyon a Full Blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and competent investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Ethan Tucker age [illegible] years; residence Ash Co in the State of N C postoffice address [illegible] County of Ash State of N C occupation that of a Preacher I am married and have Children: Born [illegible]

Attesting witnesses.

Most Respectfully Submitted,

Ethan Tucker [SEAL]

[SEAL]

[SEAL]

STATE OF [illegible] }
COUNTY OF [illegible] } ss.

Personally appeared before me, [illegible] Justice of the Peace in and for the County in the State aforesaid [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly according to law states that the facts set forth in his said petition above are true as stated therein.

This [illegible] day of [illegible] 189[illegible].

[illegible]

SEAL.

[SEAL.]

[illegible] sworn to before me, a Justice of the Peace as aforesaid, on this 12 day of [illegible] 189[illegible], and I do certify that I am personally acquainted with Ethan Tucker and know that he is a credible person and entitled to full faith and credit before any of the [illegible] and that I have no interest directly or indirectly in the [illegible] of said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Justice of the Peace, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of [illegible] 189[illegible].

[illegible]
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Cruimpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watts'd enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. P. Brooks Notary Public.

My commission expires, March 1st 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ore Knob, in said County, and that he is personally acquainted with Elisha Lucas, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Elisha Lucas is the identical person he represents himself to be in h is application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by h is neigabors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Baldwin

Subscribed and sworn to before me this 3 day of September, A. D., 1896.

W. A. Dobbels, Notary Public.

My Commission expires, March 7, 1900.

H 3102

IN THE MATTER OF

[illegible]

vs [illegible]

(Signature [illegible])

Respectfully

John Brennan

Silas Creek NC

AFFIDAVIT OF WITNESS.

—o—

STATE OF ..... } ss.
COUNTY OF ..... }

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ....., who after being by me duly sworn states that he is ..... years of age and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... self to be in h... application for citizenship in said Nation, and that the said ..... is

Affiant further states that he has known the said ..... for the past 95 years and knows that he is and has been recognized and treated by h... neighbors, acquaintances and the pub... generally, as a person having ..... Indian blood, and that the complexion, physical appearance, ... gauge and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to h... by the sa... ..... affiant states he has every reason to believe and does believe that the sa... ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest.

.....

Subscribed and sworn to before me, this ... day of ..... A. D. 189... and I further certify that I am well acquainted with the said ..... and know h... to be a person of credibility and of truth and veracity.

.....

My commission expires on the ... day of ..... 189...

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17. day of ..... 1896.

P. Blevins
Clerk Superior Court.

POOR ORIGINAL
BEST AVAILABLE COPY

End

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of [illegible]. Nation's No. [illegible]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says.

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant[illegible] entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner[illegible] claim to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory. [illegible]

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Lydia M. Fleming for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Rose, Wm. M. Rose, Sam[illegible] Rogers, Wm. A. Rogers, Lewis J. A. Smith, Henry [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7th day of September, 1896.

W. A. Rogers Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner [illegible] earnestly and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his [illegible] ancestor, the late [illegible] through [illegible]

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and, if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] years, residence [illegible], in the State of [illegible], postoffice address [illegible] County of [illegible] State of [illegible] occupation that of a [illegible]

Most Respectfully Submitted,

[illegible] [SEAL]

Attesting witnesses

[SEAL]

[SEAL]

STATE OF [illegible]
COUNTY OF [illegible]

[illegible] appeared before me [illegible] said county in the State aforesaid [illegible] the petitioner in the above petition, Cherokee Indian citizenship, to the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in the said petition above are true as stated therein.

this the [illegible] day of [illegible] 189[illegible]

Attesting witnesses,

[illegible] [SEAL.]

[SEAL]

Sworn to and sworn to before me, a [illegible] as aforesaid, on this [illegible] day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the petitioner, and know that [illegible] is a credible person and entitled to full faith and credit before any of the [illegible] the State of [illegible] and that I have no interest directly or indirectly in the petition [illegible] said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died, that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

[Signed] his
Attest WILLIAM x PRICE.
J. H. BARTON. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelio Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuininess of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation, } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-one years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled on the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a neat neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL.]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. P. Shoulds, Notary Public.

My commission expires March 1st 1900.

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly sworn ~~Affirmed~~ states that he is 42 years of age, and a resident of Ashe County, Washington and State of ~~North Carolina~~ Virginia, whose postoffice address is Mulberry, in said County, and that he is personally acquainted with Lydia M. Pennington who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Lydia M. Pennington is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. G. Lewis

~~Affirmed~~ Subscribed and sworn to before me, this 5th day of September, A. D., 1896.

W. H. Rhodes, Notary Public.

My Commission expires, March 7, 1900.

171

3122

IN THE MATTER OF

Po Eyz N.C.

(Seymour family)

7

U. S. Patent

John Buchanan

Silas Pearse

N.C.

AFFIDAVIT OF WITNESS.

STATE OF ..... }
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that he is ..... years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in h application for citizenship in said Nation, and that the said .....

Affiant further states that he has known the said ..... for the past ..... years and knows that he is and has been recognized and treated by h neighbors, acquaintances and the public generally, as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to h by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest.

.....

Subscribed and sworn to before me, this ..... day of ....., A. D. 189 . and I further certify that I am well acquainted with the said ..... and know h to be a person of credibility and of truth and veracity.

.....

My commission expires on the ..... day of ..... 189 .

STATE OF NORTH CAROLINA }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of 1896

.....
Clerk Superior Court

End

Nation's No. 1

Commission's No.

In re Application of

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Mega Spence for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of heard, Mgie Price, Wm Price, Wm A. Lewis, J. H. Barton & Samuel Davis in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

M. A. Lewis Notary Public

My Commission Expires Nov 4th 1900

Claim
Mary Spencer
vs
Clermont

Chenolle Indian Reservation

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Hon. Dawes Commission

Your petitioner, Wiga Spencer, earnestly and respectfully represents that she is one thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sequoyah through her father John Spencer, who was a son of Nellie Spencer, who was a ~~son~~ daughter of Margen-Cash, who was a daughter of Catharine Hart, who was a daughter of said Ned Sequoyah who was a full blood Cherokee Indian

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Wiga Spencer, age seventeen years; residence Grayson Co., in the State of Virginia, postoffice address Grayson Post... County of Ashe, State of North Carolina occupation that of a housewife

Attesting witnesses.

.....[SEAL.]

.....[SEAL.]

Most Respectfully Submitted,

Wiga Spencer [SEAL.]

STATE OF North Carolina, }
COUNTY OF Ashe, } ss.

Personally appeared before me, W. C. Lyon a Justice of the Peace in and for said county in the State aforesaid, Wiga Spencer, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 27 day of July, 1896.

Attesting witnesses,

Wiga Spencer [SEAL.]

.....[SEAL.]

.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and I do certify that I am personally acquainted with Wiga Spencer the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage

W. C. Lyon J. P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. C. Lyon, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27th day of August 1896.

P. Blevins

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Virgie S Vernon To Cherokee Indian Citizenship.

AFFIDAVIT OF Plaintiff

State of North Carolina,
County of Wake

On this the 2nd day of Feb. A. D., 1896, personally before me [illegible] a Notary Public, duly authorized to administer oaths, appeared Virgie S. Vernon aged 25 years, a resident of Franklin county, and State of Virginia whose postoffice is Raleigh N.C. who after being duly sworn by me deposes and says that she is one Thirty-second Indian by blood and descendant of Cherokee Indian citizenship. Affiant further says in part, That she derives an Indian blood from an ancestor, Mr Lee Dickinson, I will find Cherokee Indian as soon as Petition and Memorial

and is a direct lineal descendant of the Dickinson family, whose name she believes appears upon the records, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said Dickinson to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of Cherokee Indian blood, and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Cherokee Indian blood and is a descendant of Wife and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Virgie S Vernon

Subscribed and sworn to before me, this 2nd day of Feb. A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe, } ss.

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the County of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full Blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Marion Peal and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catherine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 80 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him; but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY }
Cherokee Nation }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so [illegible] to the Indian Territory from the east; that he was personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the association of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1837 in North Carolina, and believes that said Sizemore was enrolled as a Cherokee [illegible] went out about that date, and again in the Watts' enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been [illegible] and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Davis Notary Public.

My commission expires Mch 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baxter, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wilkesboro, in said County, and that he is personally acquainted with Hugh Spencer, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Hugh Spencer is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Baxter

Subscribed and sworn to before me, this 13th day of September, A. D., 1896.

M. A. Lewis Notary Public.

My Commission expires, March 7, 1900.

#3119

IN THE MATTER OF

Hugo Jansen

vs.

Pa Treasury Claim No.

(Signature Hugo Jansen)

Co. A. 2 N. Y. Vol. Inf.

John W. Meadows

Brig. Gen.

Vols

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe }

Before me, the undersigned, a public of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Olega Spencer who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Olega Spencer is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Olega Spencer is a daughter of Polly Spencer, who was a daughter of Margery Hall who was a daughter of Catharine Hall who was a daughter of Nicholas Hall who was a full blood Indian of the Cherokee Blood

Affiant further states that he has known the said Olega Spencer for the past 16 years and knows that she is and has been recognized and treated by her associates, acquaintances and the people generally as a person having Cherokee Indian blood; that the complexion, physical appearance and characteristics of the said Olega Spencer are those of the said Olega Spencer That from the above facts and his observations made to him by the said Olega Spencer affiant states he believes and does believe that the said Olega Spencer is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Olega Spencer for citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Olega Spencer

Samuel Davis

Subscribed and sworn to before me, this 11 day of Aug. A. D. 1896, and I further certify that I am acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity

J. P.

My commission expires on the day of 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. F. Eller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August, 1896.

Clerk Superior Court.

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Joseph Dexter for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis, Alfred Vail, Wm. Price, Wm. A. Lewis and J. N. Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. H. Dibble Notary Public

My Commission expires March 7, 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To The Hon. Dawes Commission:

Your petitioner, Joseph Sexton ..... earnestly and respectfully represents that he is One Sixty-Second ..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Red Simmons ..... through his mother [illegible] One Sixteenth Cherokee Indian [illegible] of James Simmons who was a son by [illegible] of Owen Simmons who was a son of Red Simmons, who was a Cherokee Indian [illegible]

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Joseph Sexton ..... age [illegible] years, residence [illegible] in the State of [illegible] ..... postoffice address [illegible] ..... County of [illegible] State of [illegible] ..... occupation that of a [illegible]

Attesting witnesses,

[illegible] [SEAL.]

[illegible] [SEAL.]

Most Respectfully Submitted.

his
Joseph X Sexton [SEAL.]
mark

STATE OF North Carolina }
COUNTY OF [illegible] }

Personally appeared before me, M. C. Hoke [illegible] and for said county in the State aforesaid Joseph Sexton the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A. who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 3 day of Aug. 1896.

Attesting witnesses,

[illegible] [SEAL.]

[illegible] [SEAL.]

his
Joseph X Sexton [SEAL.]
mark

Subscribed and sworn to before me, a [illegible] as aforesaid, on this 3 day of Aug. 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hoke J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] M. C. Hoke, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11th day of August 1896.

[illegible]
Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF .....

STATE OF .....
COUNTY OF ..... }ss.

On this, the ... day of ....., A. D. 189.., personally before me .....
..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..... aged ... years, a resident of .....
county, and State of ..... whose postoffice is ..... who after being duly sworn according to law, says that he is ..... Indian by ..... and a claimant for ..... Indian citizenship. Affiant further says on oath .....

and as a direct lineal descendant of the ..... family, whose name he believes appear upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said ..... to be of Cherokee Indian blood, and were members of the ..... tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a ..... Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of ..... Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of ..... Indian blood and is an admixture of ..... and Cherokee and at least one ..... Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

.....

Subscribed and sworn to before me this ... day of .....
A. D. 189.., and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

.....

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe,) ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Chandler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the Full Blood, having come several years prior to that time from the Cherokee reservation and settled on Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors [illegible] acres; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Evadia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margaret who married Robert Hash, George Hart who was the father of Marion Peak and Cornelie Peak and Grabb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Lewis Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made know n to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,)
County of Ashe,) ss.

[illegible] Ashe county, N. C. [illegible] Owen Sizemore, a son and Catharine [illegible] Owen Sizemore [illegible] James Blevins and lived [illegible] daughter of said Ned Sizemore [illegible] Catharine who married one [illegible] and Mary A. who married [illegible] Robert Hash, ancestors [illegible] Ashe county, N. C. from whom [illegible] Ned Hart, [illegible] Ashe county, N. C. from whom [illegible] Affiant further states that [illegible] Ned Sizemore had [illegible] Band Indians; that [illegible] claimed to be a member [illegible] Cherokee Nation and was so recognized by the said Cherokees [illegible] age he was recognized and [illegible] as such by Cherokees and [illegible] Ashe county, N. C. and [illegible] N. C. and [illegible]

Affiant states these facts from his own personal knowledge and observation and he [illegible] interested in the claim of the descendants of Ned Sizemore [illegible] Cherokee Nation, I. T.

Given under my hand this day and date first above written. A. D. 1896.

Attest [illegible] Signed his WILLIAM × PRICE. mark.

J. H. Eastes.

Sworn to [illegible] before me this 19th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William [illegible] and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

Signed M. V. HAGAN, J. P.

The foregoing [illegible] of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Houck, Notary Public.

My commission expires March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Hooper, who after being by me duly sworn states that he is 54 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Whitehead, in said County, and that he is personally acquainted with Joseph Sexton, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Joseph Sexton is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Hooper

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.

M. H. Hobbs, Notary Public.

My Commission expires, March 7, 1900

#3109

No.

IN THE MATTER OF

Claim to Citizenship in

Marlon, I. T.

(Signature pro se)

FILED SEPT. 7 1898

A. S. McKENNON

Clerk

John Buesing

Sept 6 98

MLD

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ....., who after being by me duly sworn states that he is ... years of age, and a citizen of .....County, and State of ..... and that he is personally acquainted with ....., who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said ..... is .....

Affiant further states that he has known the said ..... for the past ... years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest: J. W. Parker.

his
..... X Ellen Price
mark

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify that I am well acquainted with the said Ellen Price and know her to be a person of credibility and of truth and veracity.

E. C. Hash

My commission expires on the ... day of ... 189..

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

..... Clerk Superior Court.

End

Nation's No. 1[illegible].
Commission's No
In re Application of

[illegible]

Demurrer and Answer.

[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B Montgomery, Commissioners.

In the matter of application of
[illegible]

Nation's No. [illegible]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the [illegible] does not state facts sufficient, if true, to show that the applicant [illegible] entitled to citizenship.

Respondent now having [illegible] demurrer, but insisting upon the same for answer to said application, says that [illegible]

[illegible] through whom the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the [illegible] to the Indian Territory, as at present located and defined; that his name does not appear on the [illegible] Cherokee Nation; that neither he nor any of his ancestors now [illegible] Cherokee Nation and Indian Territory, as citizens thereof.

Having thus answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Moore Stamps for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Minnie F. Alfred Rice, Wm. Rice, Samuel Davis, Wm. A. Davis, J. M. Anderson & Lee Rice.

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. H. Lobb Notary Public

My Commission Expires Mar [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ..., earnestly and respectfully represents that he is .....

..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late .....

.....through .....

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a *full* and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's *full* name is ....., age ..... years,

residence ....., in the State of ....., postoffice address .....

..... County of ..... State of ..... occupation that of a .....

Attesting witnesses,

..... [SEAL.]

..... [SEAL.]

Most Respectfully Submitted,

..... [SEAL.]

STATE OF .....
} ss.
COUNTY OF .....

Personally appeared before me, ...

a ..... in and for said county in the State aforesaid, ..., the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the ..... day of ..... 189..

Attesting witnesses,

..... [SEAL.]

..... [SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this ..... day of ..... 189.., and do certify that I am personally acquainted with ..... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ....., and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

.....

STATE OF NORTH CAROLINA,
ASHE COUNTY.
} ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....

....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ....., 1896.

.....

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of . . . . . For Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF . . . . . }
COUNTY OF . . . . . } ss.

On this the 6 day of . . . . . A. D. 189 . . personally before me . . . . . a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared . . . . . aged . . . years, a resident of . . . . . and . . . . . whose postoffice is . . . . . who after being duly sworn according to law says that he . . . . . Indian by . . . . and . . . . Indian citizen ship. Affiant further says on oath . . . . . .

. . . . . and a descendant of the . . . . . family whose name he ascertains appears . . . . . that were taken by the United States government, by reason of the Cherokee treaty of . . . . . Affiant further says that he receives his . . . . . to be of Cherokee Indian blood and were members of the . . . . . tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant . . . . . Indian family and that affiant has been recognized and treated by his neighbors and . . . . . generally as a person of . . . . . Indian blood and that from his complexion and physical peculiarities he has every reason to believe and does believe that he is of . . . . . Indian blood, he is an adman ree of . . . . . and Cherokee and at least one . . . . . Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Baake [illegible]

Subscribed and sworn to before me this . . day of . . . . . A. D. 189 . , and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe he is to be a credible person.

Elisha Davis

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

[Signed] his
Attest WILLIAM x PRICE.
J. H. Barton. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hash, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurly, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so [illegible] who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1820 in North Carolina, and believes that said Sizemore was [illegible] Cherokee Nation [illegible] about that date, and again in the Western [illegible].

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further says that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

M. J. Scales Notary Public.

My commission expires March 7th 1900

1

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bird, in said County, and that he is personally acquainted with Bowles Stamper, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Bowles Stamper is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Baldwin

Subscribed and sworn to before me this 9th day of September, A. D., 1896.

M. A. Dobbs, Notary Public.

My Commission expires, March 7, 1900.

AFFIDAVIT OF WITNESS.

STATE OF ...
COUNTY OF Ashe

Before me, the undersigned, a ... Justice of the Peace in and for the County and State aforesaid, personally appeared ... who after being by me duly sworn states that he is ... years of age and a citizen of ... County, and State of ... and that he is personally acquainted with ... who is an applicant for citizenship in the ... Nation, I. T., and affiant further states that the said ... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said ... is a Son of one ... a Daughter of ... Blevins who was a Daughter of ... who was a Son of ...

Affiant further states that he has known the said ... for the past ... years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having ... Indian blood, and that the complexion, physical appearance, language and manners of the said ... indicate that the said ... is of Indian blood. That from the above facts and circumstances and from statements made to him by the said ... affiant states he has every reason to believe and does believe that the said ... has ... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ... to citizenship in the ... Nation, I. T., and that he is not related by blood or marriage to the said ...

Attest:

Sworn to and sworn to before me this ... day of ... A. D. 189... and I further certify that I am well acquainted with the said ... and know ... to be a person of credibility and of truth and veracity.

My commission expires on the ... day of ... 189...

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896

Clerk Superior Court

#3113 12

IN THE MATTER OF

Boca Grande

and the Schooner "Lee"

vs.

50 Barrels Salt,

(Libel filed)

7

A. S.

Libel

for Forfeiture

Key West

N. C.

End

Nation's No. 1763

Commission's No.

In re Application of

[illegible]

Demurrer and Answer.

[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Maggy Stewart for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Randolph Price, Wm. Price, Alfred Price, Samuel Davis, Wm. A. Davis, O. J. & Barton

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Muskogee, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7th day of September, 1896.

W. H. Dobbs Notary Public

My Commission expires March 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission;

Your petitioner, Maggy Stuart, carnestly and respectfully represents that she is one fourth Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sizemore, through her mother, Catharine Porter who was a daughter of George Blevins who was a son of Lydia Blevins, who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Maggy Stuart, age twenty-eight years, residence Vilas, in the State of North Carolina, postoffice address Sussex, County of Ashe, State of North Carolina, occupation that of a housewife and is a married woman and the mother of five children; Sarah A. Stuart, aged 2 years, John Stuart, aged 9 months

Attesting witnesses,

J. E. Baldwin [SEAL.]

G. W. Collins [SEAL.]

Most Respectfully Submitted,

her
Maggy + Stuart [SEAL.]
mark

STATE OF North Carolina }
COUNTY OF Ash } ss.

Personally appeared before me, J. E. Baldwin a Justice of the Peace in and for said county in the State aforesaid, Maggy Stuart, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h[illegible] said petition above are true as stated therein, this the 27 day of July 1896

Attesting witnesses,

J. E. Baldwin [SEAL.]

G. W. Collins [SEAL.]

her
Maggy + Stuart [SEAL.]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and I do certify that I am personally acquainted with Maggy Stuart the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage

J. E. Baldwin J.P.
mark

STATE OF NORTH CAROLINA,
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. E. Baldwin, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27 day of July, 1896

P. Blevins
Clerk Superior Court

Mozy Stuart
Clamant

Cherokee Indian Ter-
ritory

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Maggy Stuart To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina }
COUNTY OF Ashe } ss.

On this the 27 day of July A. D., 1896, personally before me W. C. Hash a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared Maggy Stuart, aged 29 years, a resident of Ashe county, and State of North Carolina, whose postoffice is Sneeds N C, who after being duly sworn according to law, says that she is one fourth Indian by Blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that she derives her Indian blood from her ancestor, the late Ned Sizemore, a full blood Cherokee Indian, as set forth in her Petition and Memorial and is a direct line descendant of the Sizemore family, whose name she believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said Sizemore family to be of Cherokee Indian blood and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that she is a descendant of Cherokee Indian family and that affiant has been recognized and treated by her neighbors and the people generally as a person of Cherokee Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Mexican Indian blood and a descendant of Ashe and Cherokee and at least one Watauga Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

her
Maggy Stuart
mark

Subscribed and sworn to before me this 27 day of July A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

W. C. Hash J. P.

E. M. Collins

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

[illegible] and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

[illegible]

Affiant states these facts from his own personal knowledge and observation, and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 12th day of August, A. D. 1896.

Signed] his
WILLIAM x PRICE
mark.

Attest
J. H. Barton.

Sworn to and subscribed before me this 12th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this date and day first above written.

[Signed] W. C. Hash, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and state that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors [illegible]; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wels Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peal and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurley, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wauhatchie enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been connected and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Scales, Notary Public.

My commission expires March 7 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Carlton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wilkesboro, in said County and that he is personally acquainted with Crazy Stuart, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Crazy Stuart is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Carlton.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.

M. A. Brooks, Notary Public.

My Commission expires, March 7, 1900

#3108

IN THE MATTER OF

Claim to Citizenship in

Nation

No.

(Witness' name)

U.S. District Court

John B. Baldwin

Silas Grant

& Co

AFFIDAVIT OF WITNESS.

—o—

[illegible] } ss.
[illegible] }

[illegible] in and for the County and State aforesaid, personally [illegible] William Price who after being by me duly sworn states that he is 86 years [illegible] and a citizen of [illegible] County, and State of [illegible] and that he is personally acquainted with [illegible] who is an applicant for citizenship [illegible] Nation, I. T., and affiant further states that the said [illegible] is identical person [illegible] represents [illegible] self to be in his application for citizenship in said Nation, and the said [illegible] is [illegible]

[illegible]

Affiant further states that he has known the said [illegible] for the past [illegible] years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the people generally as a person having [illegible] blood in her veins, and that the complexion, physical appearance, language and manners of the said [illegible] indicate that the said [illegible] is [illegible] That from the above facts and circumstances and from statements made to him by the said [illegible] affiant states he has very reason to believe and does believe that the said [illegible] is of [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the [illegible] Nation, I. T., and that he is not related by blood or marriage to the said [illegible]

Witness [illegible]

Subscribed and sworn to before me this 16 day of [illegible] A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

[illegible]

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of [illegible] 1896.

[illegible]
Clerk Superior Court

End

Nation's No. 10,933.

Commission's No.

In re Application of

El[illegible], [illegible].

Demurrer and Answer.

2-5

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible] Nation's No. 1058.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioners claim to derive their right for citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now [illegible] have been enrolled in the Cherokee Nation, and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[signature]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[signature]

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation, ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Eliza Wilson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of herself, Samuel Davis, Alfred Price, Wm Price Elisha Blevinsolver A Lewis & Jas Bearmin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in his matter.

J. N. Baldwin

Subscribed and sworn to before me this 7th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires Dec. 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner ..... earnestly and respectfully represents that she is .....
..... Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
..... through

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for h application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of h claim, and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years,
residence ..... in the State of ..... postoffice address .....
..... County of ..... State of ..... occupation that of

who is the father of two children, D. Burt Ballou and Callie Ballou, aged respectively three years

wife, is the mother of three children Ollie Weiss, Charlie Weiss & Ward Weiss aged respectively 13, 11, and 7 years.

who married Albert Weiss

Attesting witnesses,

Most Respectfully Submitted,

..... [SEAL.]

..... [SEAL.]

..... [SEAL.]

STATE OF .....
COUNTY OF .....

Personally appeared before me ..... a ..... and for said county in the State aforesaid ..... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h said petition above are true as stated therein this the 3 day of 189

Attesting witnesses,

..... [SEAL.]

[SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this 3 day of ..... 189 , and I do certify that I am personally acquainted with ..... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the ..... said claim for Cherokee Indian citizenship and am not related to h by blood or marriage

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17. day of 1896

..... Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

..... To Cherokee Indian Citizenship.

AFFIDAVIT OF

.....

.....

On this, the ... day of ..... A. D., 189 , personally before me .....

..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared .....—..... aged ..... years, a resident of .....

..... county, and State of ....., whose postoffice is ..... who after being duly sworn according to law, says that he is ..... Indian by ....., and a claimant for ..... Indian citizenship. Affiant further says on oath

as: He is a direct lineal descendant of the ..... family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said ..... to be of Cherokee Indian blood, and were members of the ..... tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a ..... Indian family and that affiant has been recognized and treated by her neighbors and the people generally as a person of ..... Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of ..... Indian blood and is an admixture of ..... and Cherokee and at least one ..... Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

.....

Subscribed and sworn to before me, this ... day of ..... A. D., 189 , and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

.....

No. . . .

IN THE MATTER OF

[illegible]

Claim to Citizenship as [illegible]

Nation [illegible]

AFFIDAVIT OF WITNESS.

STATE OF ..... }
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn, states that he is ..... years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said ..... is [illegible]

Affiant further states that he has known the said ..... for the past ..... years, that she is and has been recognized and treated by her neighbors, acquaintances and the public as a person having ..... Indian blood, and that the complexion, physical appearance, carriage and manners of the said ..... indicate that the said ..... is of ..... Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest, ...

Subscribed and sworn to before me, this ..... day of ..... A. D. 189..., and I further certify that I am well acquainted with the said ..... and know h... to be a person of credibility and of truth and veracity

.....

My commission expires on the ..... day of ..... 189...

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1896.

.....
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

Affidavit of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-four years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so emigrated with the Cherokees from the east; that he [illegible] personally a resident of [illegible] Ned Sizemore, in North Carolina, and Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled [illegible] about that date, and again in the Watkins roll.

Affiant further states that he knew one James Hart, whom he believed claimed to be enrolled and who married Catherine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Dobbins Notary Public.

My commission expires March 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. C. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Jefferson, in said County, and that he is personally acquainted with Elijah Eaton, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Elijah Eaton is the identical person he represents himself to be in the application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. C. Baldwin

Subscribed and sworn to before me this 3rd day of September, A. D., 1896.

W. A. Gobbel, Notary Public.

My Commission expires, March 7, 1900.

No. 3104

Eliza Pelham

Claim for Navy Pension

Po. Silas Creek N.C.

Supreme Court

Respondent

John Baldwin

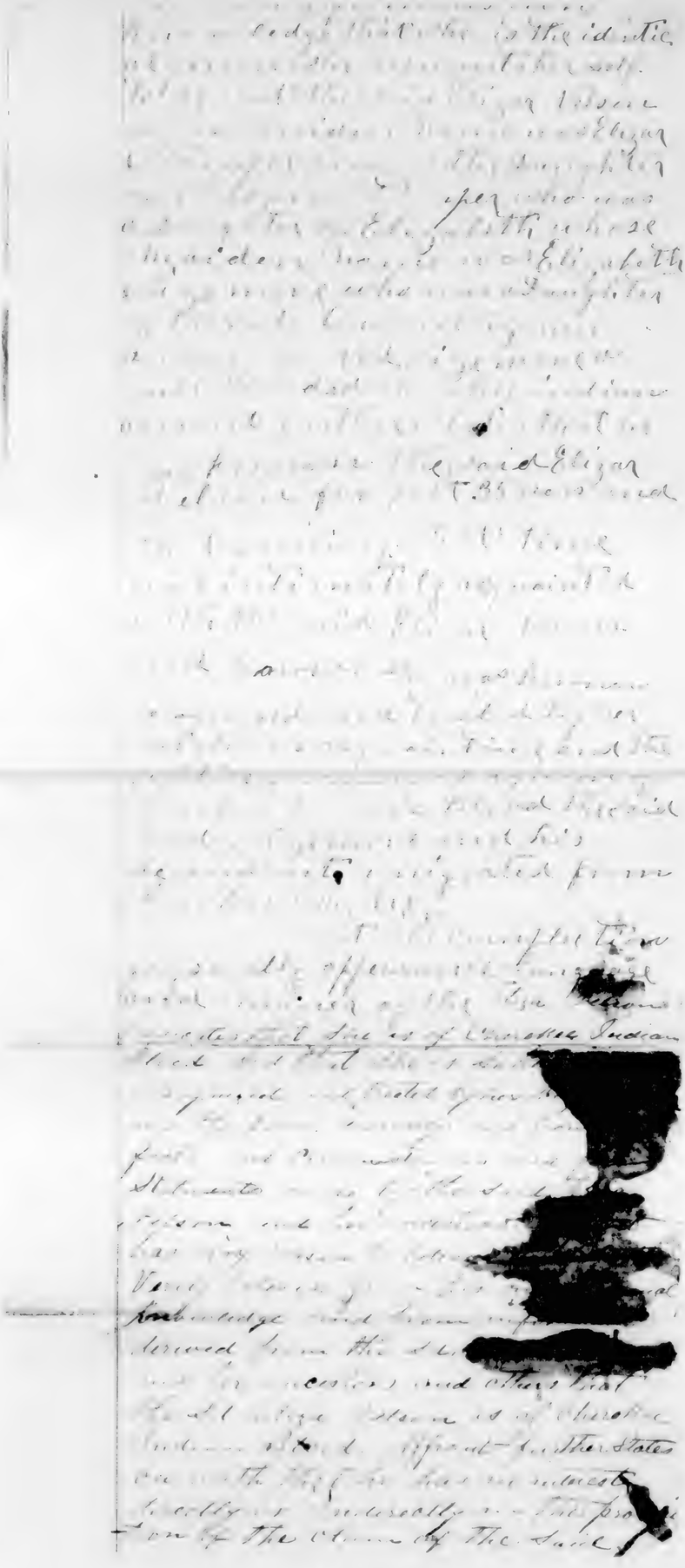
Silas Creek

N.C.

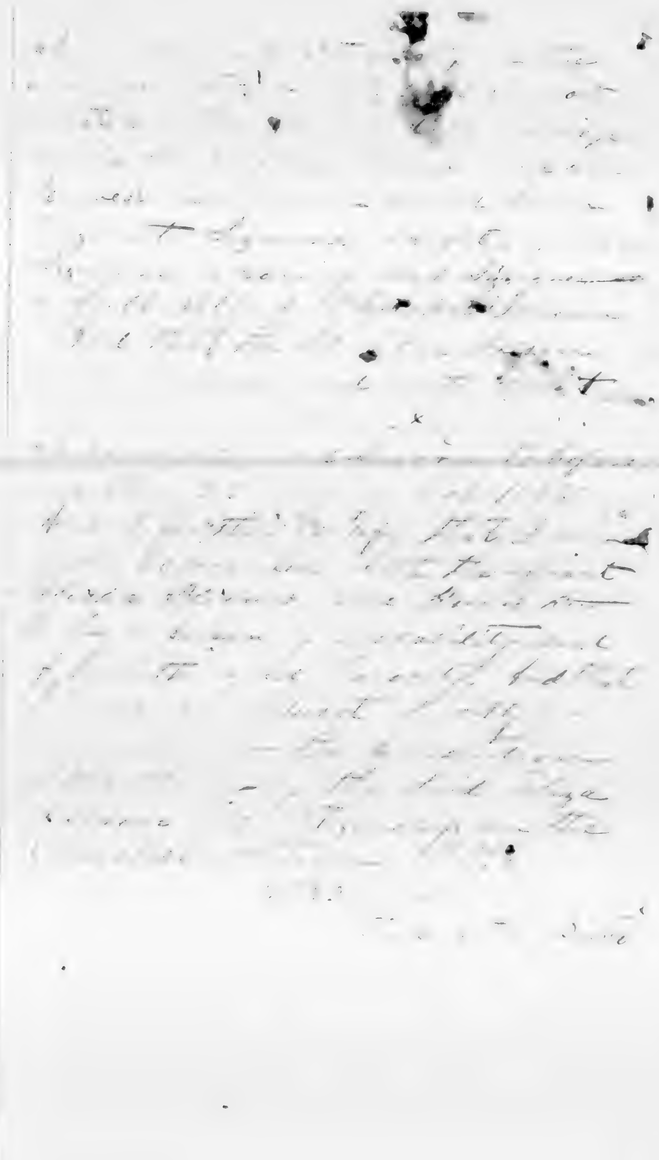
Deposition of witness
The State of [illegible]
County of [illegible]
Before me the undersigned
[illegible] a Justice in and
for said county [illegible] personally
appeared Eliza Blevins and made
affidavit and upon his oath
[illegible]

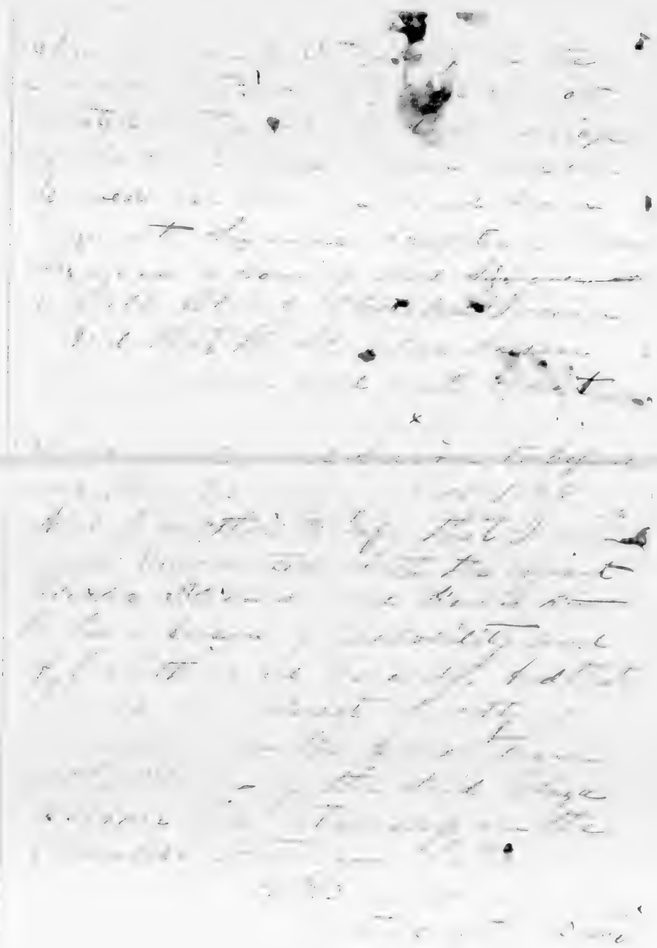
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FRAME 2





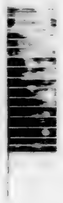
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BEST AVAILABLE COPY

NC
W23104

Elijah Nelson

Claim for Lighthouse
on the Pee
Dee River N.C.

Po. Silas Cond N.C.



NC

(Signature [illegible])

7

Respectfully

John Dickerson

Silas Post
NC

POOR ORIGINAL
BEST AVAILABLE COPY

End

Nation's No.

Commission's No.

In re: Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving its aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the [illegible] day of September, 1896.

W. A. Scales Notary Public

My Commission Expires Mar 7th 1900

Name

2 - Nancy E. Foster

6 3 Born

3

Cherokee Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dawes Commission

Your petitioner Vaney E. Porter carefully and respectfully represents that she is One sixteenth Cherokee Indian by blood, deriving the same from her ancestor, the late Red Sizemore through her father James Hash who was a son of Robert & Margery Hash the latter of whom was a daughter of James & Catharine Hart, the latter of whom was a daughter of said Red Sizemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Vaney Evelyn Porter age Forty years residence Hoke Co. in the State of North Carolina postoffice address Bud County of Hoke State of N.C. occupation that of a house-wife and a married woman. ~~and her mother Dina Holloway named~~

Witnessing witnesses,

[SEAL.]

[SEAL.]

Most Respectfully Submitted,

Vaney E. Porter [SEAL.]
her mark

Personally appeared before me, Elisha Davis a Notary Public in and for said county in the State aforesaid, Vaney E. Porter the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 2 day of July 1896

Witnessing witnesses,

Vaney E. Porter [SEAL.]
her mark

[SEAL.]

Subscribed and sworn to before me, a Notary Public in and for Hoke County as aforesaid, on this 2 day of July 1896, and I do certify that I am personally acquainted with the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

Elisha Davis
Notary Public

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER ELEVINS, Clerk of the Superior Court of said county, do certify that Elisha Davis Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of Nancy E. Porter To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

State of North Carolina)
County of Ashe)

On this the 4 day of July A. D. 1896, personally before me, Elisha Davis a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Nancy E. Porter aged 40 years a resident of Ashe County, and State of North Carolina whose postoffice is Bud N.C. being duly sworn according to law, says that she is one seventh Indian by blood a claimant for Cherokee citizenship. Affiant further says on oath that she derives her Indian blood from her ancestor the late Ned Sizemore as set out in her Petition and Memorial

and is a direct lineal descendant of the Sizemore family, whose names appear upon the original rolls, that were taken by the United States government, by blood, of the Cherokee tribe Indians. Affiant further says that she believes the said Sizemore family, were Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a lineal descendant of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of Cherokee Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Cherokee Indian blood and is an admixture of White and Cherokee and at least one seventh Indian by blood

Affiant further says the above statements are true to the best of her knowledge and belief.

her
Nancy E. E. Porter
mark

Witness: [illegible] - Subscribed and sworn to before me, this day of
A. D., 189 , and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

Elisha Davis

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the County of Ashe, in the State aforesaid, personally appeared William Price, [illegible] who on oath deposes and says that he resides at [illegible] North Carolina, whose post-office address is Mountain Station, N. C., and who was [illegible] were state-[illegible] was born and raised in Ashe county, N. C., and some sixty years ago he well knew one Ned Sizemore who was a full blood [illegible] and lived [illegible] waters of Cranberry Creek in Ashe county, N. C., [illegible] came from the Cherokee [illegible] North Carolina, or Georgia, one several years [illegible] that he often went back to where [illegible] made his [illegible] and Sizemore, [illegible] two of whom, Owen Sizemore, a son, and Catharine Sizemore, a daughter [illegible] and Sizemore had a daughter, Loddia who married [illegible] Blevins, and lived in Ashe county, N. C.; that said James and [illegible] Blevins had several children now living, from whom have descended [illegible] of the present claimants; that Catharine Sizemore, a daughter of said Ned Sizemore, married one James Hart, and had numerous children and [illegible] among whom were [illegible] who married one [illegible] and Margery who married Robert Nash, and settled in Greene Co., Va., near the Va., and N. C. line; Ned Hart, who died in Ashe county, N. C., from whom have descended [illegible] of the present claimants. Affiant further states that said Ned Sizemore had the appearance of being a full blood Indian; that he was [illegible] the Cherokee tribe and was so recognized by the said Cherokee [illegible] and members thereof; that he was recognized and treated as [illegible] acquaintances in Ashe county, N. C., and was considered [illegible] Indian.

Affiant states these facts from his own personal knowledge and observation, and [illegible] as evidence in the claim of the descendants of Ned Sizemore for citizenship in the Cherokee Nation, I. T.

Given under my hand this 19th day of August, A. D. 1896.

Witness [illegible] T. Burton

[Signed] his
WILLIAM × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, A. D. [illegible] and I certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hasil, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of [illegible].

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Loddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have proceeded a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Nash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Jourdan Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurley, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. A. Gibbs, Notary Public.

My commission expires March 1902

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Bilderson, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bird P. O. Ste, in said County, and that he is personally acquainted with Nancy E. Porter, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy E. Porter is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Bilderson

Subscribed and sworn to before me, this 7 day of September, A. D., 1896.

W. E. Dobbs
Notary Public.

My Commission expires, March 7, 1900.

~~C.C.~~ D

~~H3114~~ V

IN THE MATTER OF

[illegible]

[illegible]

VS.

No. Bud. Mc

(Surname [illegible])

[illegible]

Rachel

John Mc

Silas Cook

Mc

AFFIDAVIT OF WITNESS.

North Carolina

STATE OF ~~Tennessee~~ }
COUNTY OF Ashe } ss.

Before me, the undersigned, a Notary Public of the Peace in and for the County and State aforesaid, personally appeared Samuel Lewis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Nancy E. Potter who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy E. Potter is the identical person who represents herself to be in the application for citizenship in said Nation, and that the said Nancy E. Potter is a daughter of James Black to wit a son Virginia Black, a daughter Catherine Black, who was a daughter of Ned Swimmer, who was a Cherokee Indian by full blood

Affiant further states that he has known the said Nancy E. Potter for the past 40 years the records that she has been recognized and treated by her neighbors, acquaintances and the people generally as a person having Cherokee Indian blood, and that the complexion, physical appearance manners and mannerisms of the said Nancy E. Potter indicate that the said Nancy E. Potter is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Nancy E. Potter affiant states he has every reason to believe and does believe that the said Nancy E. Potter is a Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Nancy E. Potter to citizenship in the Cherokee Nation, I. T. and that he is not related by blood or marriage to the said Nancy E. Potter.

Affiant

Samuel Lewis

Subscribed and sworn to before me this 10 day of Aug A. D. 1896 and I further certify that I am well acquainted with the said Samuel Lewis and know him to be a person of credibility and of truth and veracity.

My commission expires on the day of 189

Thos Hodges J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Thos Hodges, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of Aug, 1896.

Clerk Superior Court.

End

Nation's No. /

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not set forth facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent, not waiving the foregoing demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, . . .
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. A. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Charlotte V. Pierce for Citizenship in the Cherokee Nation, Ind. Ter., and of the affidavits of himself, Samuel Davis Wm Price Alfred Price Wm. A. Lewis & J H Barton in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in said matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. H. Dibbles Notary Public

My Commission expires Mar 4th 1900

Claim

To [illegible]

Cherokee Indian Expedition

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Charlott V. Pierce earnestly and respectfully represents that she is one Sixteenth Cherokee Indian by blood, deriving the same from her lineal ancestor the late Ned Segenore through her mother Esther Hart, who was a daughter of Ned Hart, who was a son of James & Catharine Hart, the latter of whom was a daughter of said Ned Segenore, who was a Cherokee Indian of the full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be accorded all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Charlott Virginia Pierce, age Forty three years, residence Ashe Co. in the State of North Carolina, postoffice address Sussex County Ashe State of N. C. occupation that of a housewife a married woman and the mother of the following named children: Charles Greer, aged 18 years; Mabell Greer, aged 16 years; Maude Greer, aged 14 years; Pearl Greer, aged 12 years; Elvonia Greer, aged 10 years; Estelle Pierce, aged 7 years and Vera Pierce aged 4 years.

Witnesses:

Most Respectfully Submitted,

..... [SEAL.] Charlott V. Pierce [SEAL.]

..... [SEAL.]

State of North Carolina, } ss.
County of Ashe, }

Personally appeared before me, M. C. Nash a Justice of the Peace in and for said county in the State aforesaid, Charlott V Pierce the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in h[er] said petition above are true as stated therein, this the 16 day of July 1896.

Witnesses:

Charlott V. Pierce [SEAL.]

..... [SEAL.]

..... [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of July 1896, and I do certify that I am personally acquainted with Charlott V. Pierce the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of h[er] said claim for Cherokee Indian citizenship and am not related to h[er] by blood or marriage.

M. C. Nash

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Nash Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17th day of August 1896.

..... Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of Charlott V. Pierce To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

State of North Carolina,
County of Ashe,

On this the 16 day of July A. D., 1896, personally before me, M. C. Dark a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Charlott V. Pierce aged 43 years a resident of Ashe County, and State of North Carolina whose postoffice is Sussex who being duly sworn according to law, says that she is one sixteenth Indian by blood and a citizen of the Cherokee Indian citizenship. Affiant further says on oath that she derives her Indian blood from her ancestor, the Late Red Sizemore as set out in her Petition and Memorial.

Affiant further says that she is a descendant of the Sizemore family whose names appear on the rolls that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said Sizemore family to be of Cherokee blood and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her parents at youth that she is a descendant of Cherokee Indian family and that affiant has been recognized and treated by her neighbors and acquaintances generally as a person of Cherokee Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Cherokee Indian blood and is an admixture of White and Cherokee and at least one Sixteenth Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Charlotte V. Pierce

Subscribed and sworn to before me, this day of A. D., 189 , and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

M. C. Dark

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

[illegible] the undersigned Justice of the [illegible] for the county of Ashe, in the State [illegible], personally [illegible] Price, [illegible] Indian [illegible] States [illegible] Western [illegible] Creek [illegible] Cherokee Indian and [illegible] Creek [illegible] Cherokee reservation [illegible] several years prior to the time affiant knew [illegible] went back to where [illegible] affiant [illegible] that [illegible] Sizemore had [illegible] family [illegible] daughters, two of whom, Owen Sizemore, a son, and Catharine Sizemore, a [illegible] person [illegible] the said Owen Sizemore [illegible] who married [illegible] Blevins, and lived in Ashe county, N. C., the said James and Lydia Blevins had several sons [illegible] from whom have descended [illegible] number of the present claimants; that Catharine Sizemore, a daughter of said Ned Sizemore [illegible] who married one [illegible] sons and daughters among [illegible] Baldwin and [illegible] Margery who married Robert Hash, and settled in [illegible] Va., near the Va., and N. C. State line; Ned Hart, who settled [illegible] Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that one Ned Sizemore had [illegible] name of being a full blood Indian; that he was so recognized in Council [illegible] Cherokee Nation and was so recognized in Ashe and Cherokee tribe and neighborhood; that he was so got and accepted by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as aforesaid [illegible].

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this [illegible] day of August, A. D. 1896.

Attest [illegible] Signed, his
C. H. BARNES WILLIAM x PRICE.
mark.

[illegible] and sworn to before me this 24th day of August, A. D. [illegible] that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

Signed M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who has several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose post office address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated — as well as of those who remained in the east; that he was personally acquainted with one Ned Sizemore in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the old Cherokee enrollment of about that date, and again in the Wamard enrollment.

Affiant further states that he knew one James Hall, whom he believes was a white man and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had sons by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information, he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hall families and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. D. Shields Notary Public.

My commission expires March 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. C. Carter, who after being by me duly sworn states that he is 43 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Weaver Grove in said County, and that he is personally acquainted with Charlotte L. Price, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Charlotte L. Price is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. C. Carter

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.

P. A. Bobbs, Notary Public.

My Commission expires, March 7, 1900.

7347

v

No.

IN THE MATTER OF

Claim to Citizenship of

Nation, I. T.

Po Sac & Fox N. A.

(Separate Family)

D. 7

A. S. 1

Rejected

Date Decision

Date Issued

N. A.

AFFIDAVIT OF WITNESS.

[illegible]

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court.

End

Nation's No. 2 1 7

Commission's No.

In re Application of

Nancy [illegible]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nancy Smith et al

Nation's No. D-4-13

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right; therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent reserving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

Rebecca Downing

through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Davis, Hallowell & Bankhead Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 20 day of [illegible] 1896.

NOTARY PUBLIC

State of Tennessee }
Hamilton County } S.S.

We the undersigned citizens of the said County and State certify on oath that we are well acquainted with J.H. Laney Smith formerly Smith of Cherokee Nation deceased, and the children viz- Mrs. Nellie Bird formerly Miss Nellie Smith, Mrs. Mary Morgan formerly Miss Mary Smith, Miss Melina Smith Columbus Smith and Tate Smith and that they are related and known as such in the community where they are known and recognized

We certify
Witness Jesse his Snider mark
J.H. Preston

Nathan E. Hurst Exec. of Estate of J.H. Laney Smith deceased

his
Wm. Wilkes
mark

his
Witness J. Wade Jr.
mark

State of Tenn } Subscribed & sworn to before
Hamilton Co } me this Sep 4/96
J.H. Preston
Notary Public

Chattanooga Tenn
September 4th 89

Hon. Henry L. Dawes Commissioner
of The United States
Cherokee Indian Territory

Dear Sir

I am this day forwarding
by registered United States Mail to the
Chief or Governor of Cherokee Tribe
of Indians a copy of Roll
of Mrs. Nancy Smith to be
with Nancy Hartsook of Cherokee
descent, & Application with affidavits
and & Witnesses & any further
information & proof that
you may deem necessary &
will endeavor to obtain in her
power so to do. And I will be
prompt with attention to by me
Hoping to receive the same
I remain
Yours Respectfully
for Mrs. Nancy Smith

No. 1547

Nancy Smith

v

Cherokee Nation

Filed 7 Sept 1896

Treasury

Chattanooga
216 Market St.
Tenn

APPLICATION FOR ENROLLMENT.

To the Hon. Henry L. Dawes and others, Composing the Commission to the Five Civilized Tribes:

YOUR PETITIONER Mrs. Nancy Smith for herself and her descendants

would state and show from the proof submitted to the Commission that she is a Cherokee....by descent and by blood, having been born in Dade County, State of Tennessee on the 21st day of August 1837. My father's name was [illegible] Masters. My Mother's name was [illegible] was a [illegible] before the marriage my father's name was [illegible] and he was by [illegible] and my mother's name was [illegible] and she was a Cherokee

That I now reside in Chattanooga and have resided there for [illegible] years.

And she aver... these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further aver... that these facts being proved, she is... entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States, and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submits to the consideration of the honorable Commission such proof, and on the hearing she will be adjudged entitled to such citizenship, and her name be placed upon the proper roll as a citizen of said Nation, with the names of her children hereinbelow enumerated. She refers to and relies upon the testimony of [illegible] Mary George [illegible] Lucinda Smith [illegible] Riley and of others filed in the Claims.

Enrollment of family, with relationship attached, as follows:

NAMES	AGE.	RELATIONSHIP
Mrs. Nancy Smith	52	[illegible]
Miss Hattie Smith	29	[illegible]
nee Mrs. [illegible]	[illegible]	[illegible]
Miss Emma Smith	24	[illegible]
nee Mrs. [illegible] Morgan	[illegible]	[illegible]
Miss Evelina Smith	22	[illegible]
Columbus Smith	18	[illegible]
Katie Smith	16	[illegible]

Applicant. her Nancy X Smith mark

Witnesses to the mark and Subscribed and sworn to before me this 3 day of September 1896.

D. B. Preston Notary Public.

POOR ORIGINAL - BEST AVAILABLE COPY

End

Nation's No. 2802

Commission's No.

In re Application of

James M. Miles et al

Demurrer and Answer.

SEP 25

FILED

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

James M Miles

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says,

1st. That the commission has no jurisdiction of the parties or subject matter of this controversy, and no legal right to hear, try, or determine the same.

2nd. That the application is not sufficient, in law, to show that the applicant entitled to citizenship.

Respondent now having examined said application, and missing upon the same to answer to said application, says that James Scott through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the 15 day of Sept, 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

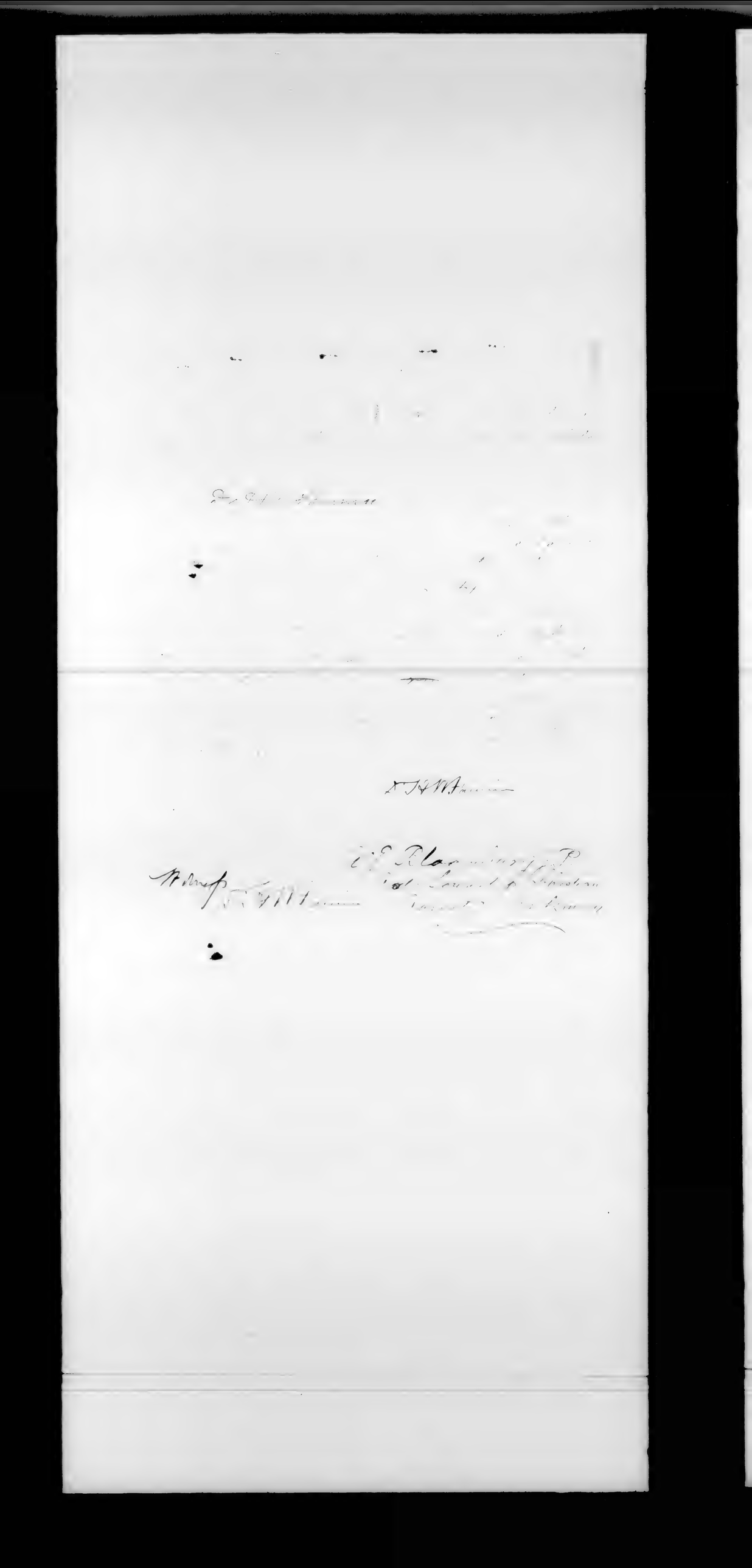
Post Office at

Registered Letter / Parcel / No. 37 Rec'd Sept 11 , 1896

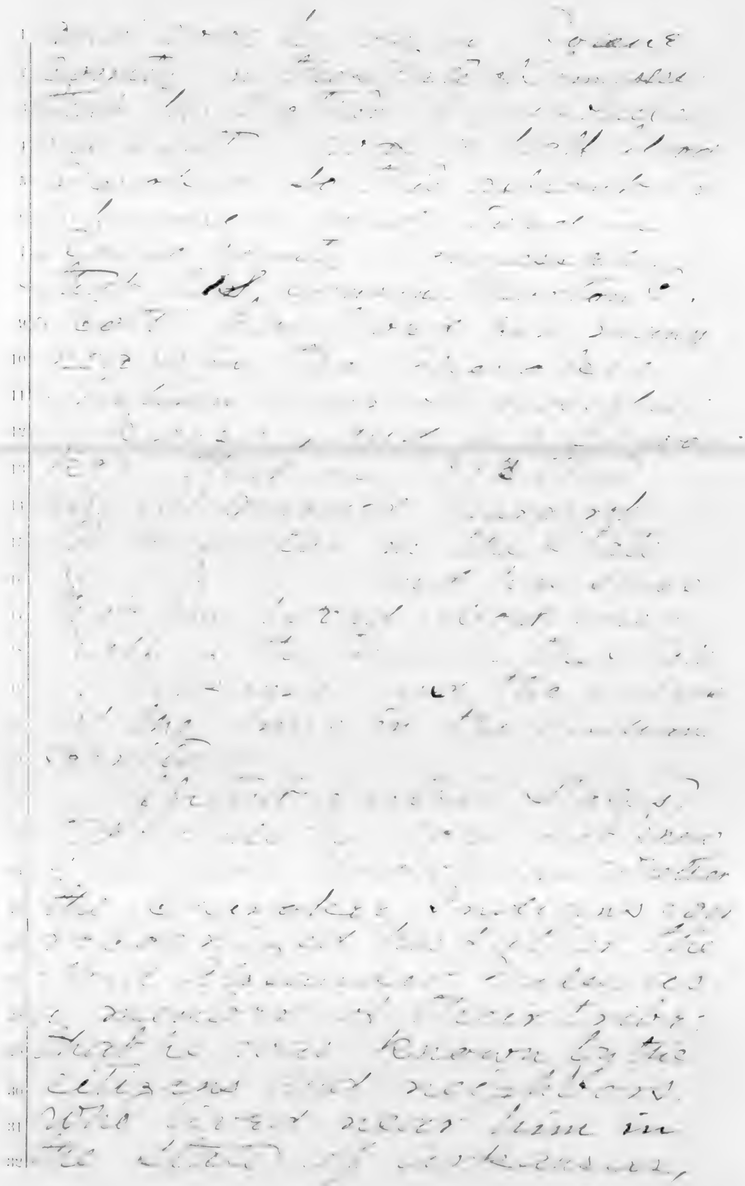
of J. A Miles

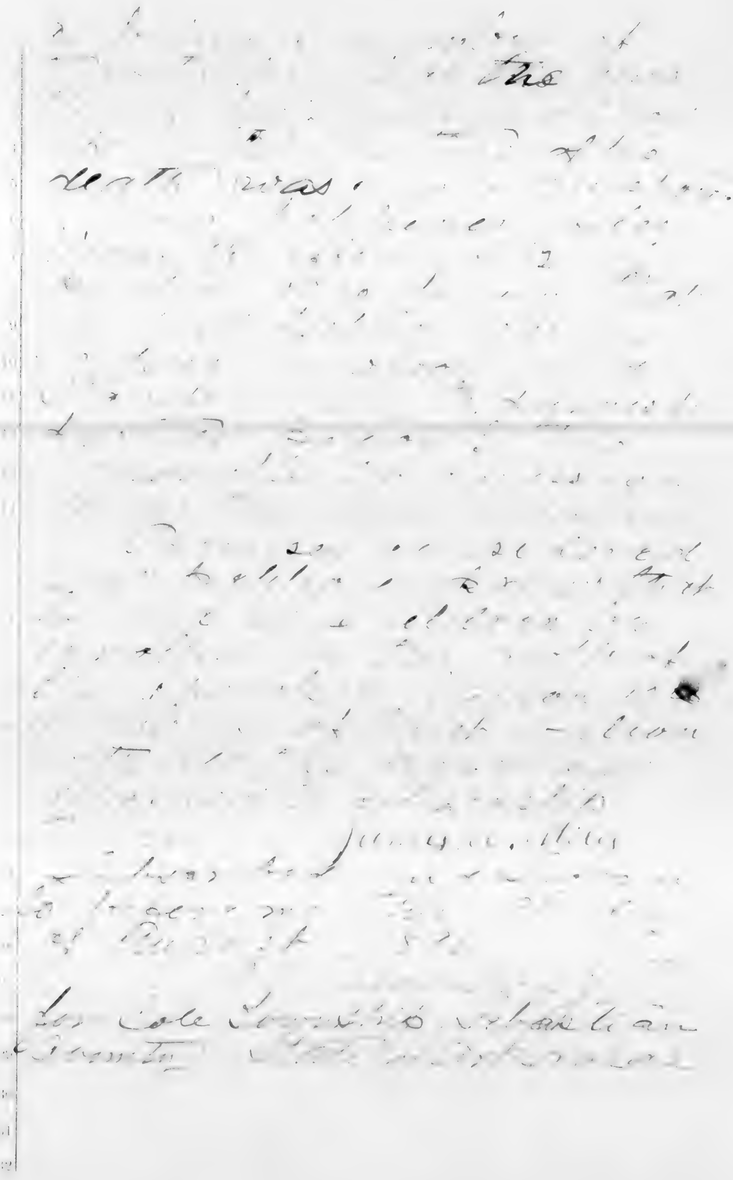
addressed to Hon S. H. Mayes Chief
of Cherokee Nation Tahlequah I. T.

C. R. Robertson P. M.



Address James A. Miles Mackall City Arkansas
Sevier Co





CERTIFICATE.

STATE OF ARKANSAS. }
COUNTY OF SCOTT. }

I, Thomas M. Duncan, Clerk of the Circuit Court and ex-officio County Clerk of Scott County, Arkansas, do hereby certify that N C Lodge whose genuine signature appears to the above and foregoing and hereto attached Papers of Attachments as Justice of the Peace is dead, and was at the time of the execution of the same, the duly elected, commissioned, qualified and acting Justice of the Peace of Lewis Township, Scott County, Arkansas, and that all his official acts as such are entitled to full faith and credit, and that his commission as such was dated on the 31st day of October, 1894, and will expire on the 31st day of October, 1896.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office at Waldron, Ark., on (L. S.) this 18 day of August A.D. 1896

Thos M Duncan Clerk.

No 1486

James Miles
v
Cherokee Nation

Filed 7 Sept 1896
R. M. Jacoway
Clk

End

Original

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Tahlequah, Indian Territory:

The undersigned Mary E. Meades your petitioner, makes this her application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of her claim, to-wit:

That she is the Daughter of one Nancy Berry and the Granddaughter of one Dorothy Vann and the Great Great Granddaughter of one Dorothy Benton who was a Granddaughter of Old Chief Savanuca who, your petitioner firmly believes, was a full blood Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom she derived her Cherokee Indian blood, entitling her to citizenship in the Cherokee Nation, Indian Territory.

That ~~she or name and~~ the name of said ancestor should be found to appear on the Census Rolls taken and made of Cherokees east of the Mississippi river, in the years 1835, 1848, 1851, and 1852.

And your petitioner respectfully awaits the time this her application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is 43 years; that her postoffice address is Mulberry Arkansas and that her family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks
1	Jennie Meades	Fem.	23	Daughter	Married.
2	Edward Meades	Male	21	Son	Single
3	[illegible]	[illegible]	18	[illegible]	[illegible]
4	[illegible]	[illegible]	12	[illegible]	[illegible]
5	[illegible]	[illegible]	15	[illegible]	[illegible]
	[illegible]		9	[illegible]	[illegible]

In Witness Whereof, I have hereunto set my hand at Mulberry this, the 3rd day of September, A. D., 1896.

her
Mary E. Meades
mark

Attest:

R. W. McSpadden
Armand McSpadden

Subscribed and sworn to before me at Mulberry this, the 7 day of sept A. D., 1896

[SEAL.]

A. W. Storie
Notary Public

My comm. expires Feb 1st 1900

Copy

To the Honorable the Senate Committee
on Indian Affairs now sitting
The Undersigned Mary G Berry Jackson
and Catherine Hicks the two petitioners
for admission to Citizenship in the
Cherokee Nation respectfully show
Cherokee Nation to Citizenship in the
Cherokee Nation according to Blood in accordance
with and by the Treaties the Constitution
and Laws of the Cherokee Nation and
Decisions established and of record
and respectfully submit the following Statement
of facts in the premises in support of their claim viz
That she is the Daughter of one Nancy
Berry and the Grand Daughter of one
Nancy Ross who was the Full Blood Grand
Daughter of one Tobey Fontain who was
a Native Daughter of the Choctaw Nation
who was Married Previous to 1817 to one
Geo Fields a man by Blood entitling her
a Citizenship rights in the Cherokee Nation
Petitioner further
That the Names said
Ancestors thereof be found a Register on the
Census Roles taken and Made of the
East of the Mississippi river in the
years 1817 1835 1848 1851 and 1852 and
your Petitioners respectfully submit
that

[illegible] this her application for admission
together with the proof in support
thereof shall be duely heard and passed
upon
That the age of your Petitioner is 43
years that her Post Office address is
Mulberry Arkansas and that her
family by virtue of Cherokee Indian
Blood consists of the following named wit

1	Jennie Hinders	Female	23	Daughter	Married
2	Edward Jackson	Male	21	Son	Single
3	Maud Jackson	Female	19	Daughter	"
4	Ollie Jackson	"	15	"	"
5	Birtie Jackson	"	13	"	"
6	Jessie Jackson	"	7	"	"

In witness whereof I have hereunto Set My hand
at Mulberry this 31 day of December 1896

Mary E. Jackson
her mark

attest
R.W. Mc Tyre
Amanda Mac Tyre

Subscribed and Sworn
to before me at Mulberry
this the 31 day of Dec
1896

(Seal) J. M. Hare
Notary Public

My Com expires, Feb 1 1900

Affidavit

State of [illegible]
County of [illegible]

In the Case of Mary C. Berry Jackson
Claimant for Allotment in the Cherokee Nation Indian
Territory as a Cherokee Indian by blood under the
Act of Congress of the United States
[illegible] appeared before me, the undersigned Notary Public
& Ex Officio Commissioner of Deeds for the State of Texas
residing at the aforesaid place, duly authorized
to administer oaths & take Depositions & Affidavits
to be used before the Dawes Commission
& Congress of the United States
& duly sworn according to law deposes and says that he is
[illegible] years of age & resides at [illegible]
[illegible] that he is personally acquainted with Mary C. Berry
Jackson & knows her to be a Citizen of the United States
& not a citizen of any other Country & that she is
entitled to the benefits of the Act of Congress
to which this Affidavit is attached. Said Mary C. Berry
Jackson is the daughter of Nancy Berry
who is a full blood Cherokee Indian who
was a daughter of Elizabeth Calhoun who was a
daughter of Tenney & Nancy Ann S. F. Hargrove
who lived and died in the State of Alabama which
Affiant knows of his own personal knowledge

Sworn and subscribed before me at Atoka Indian Territory
this the [illegible] day of Sept 1896

My Commission expires June 1-1898

E. R. Commings N.P.

No. 1951

H. Amy C. Jackson

vs

Cherokee Nation

Filed Sept. 7, 1896.

H. M. Jacoway
Jr Cl.

Recd

W. W. Tucker
Hindsville
Ark.

Affidavit

State of Arkansas
County of Crawford } In the Case of Mary
C. Berry Jackson Claimant for Enrollment
as a Choctaw Indian by Blood before the
Honorable Dawes Commission authorized under
Act of Congress Congress of the United
States personally appeared this day before
me C. B. Cummings a Notary Public within
and for the State and County aforesaid
duly authorized to administer oaths
Samuel D. Stapleton to me personally well
known to be reputable and entitled to credit
and who being by me duly sworn according
to law deposes and says My name is Samuel
D. Stapleton My age is 86 years I am a citizen
of the Choctaw Nation and was enrolled by the United
States as such Choctaw Indian by blood on
the Choctaw Roll Case as follows to wit
I am acquainted with Mary C. Jackson claimant
she is a daughter of Nancy Berry who is a daughter of Polly
Locke who was a daughter of Elizabeth Locke nee
who was a daughter of Polly Hughes of Skullyville
Nation and is now living upon land within said Nation
and has lived there all her life

My Commission Expires 1909 S. D. Stapleton
C. B. Cummings
N.P.

End

Nation's No. 3304.

Commission's No.

In re Application of:

Bessie Barnes

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible] Nation's No. 3504

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving its aforesaid demurrer, but insisting upon the same for answer to said application, says that Andrew Morton through whom the petitioner claims to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hastings & Faulconer Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

3148

No. 1544

Bessie Bunn

v.

Cherokee Nation

Filed 7 Sept 1896

H. C. Conway

Clerk

Rejected

C. C. Moorlin Esq
Attorney
Uniontown
Ark.

Department of the Interior,
Commission to the Five Civilized Tribes.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Copy Affidavit
John H Morlow
le. le. Morlow & Co
Colly.

Affidavit of
Commissioner Ethan Hyde 1883

State of Ark's
County of Crawford } S.S.
John H Morlan personally appeared
before me a Notary Public within
and for the County & state aforesaid
after being duly sworn according
to law deposes and says.
I am personally acquainted
with J.T. Morlan who is a second
Cousin to Andrew Morlan.
Andrew Morlan was an uncle
to Henry Morlan and my great
uncle. and Andrew Morlan
was a great uncle to William
Morlan. who is a Cherokee by
blood. and whose name
appears on the Rolls. which
Mystes J.T. Morlan and my self
third Cousins his
Witness J.D. Lemons John H H Morlan
" S.D. Hudson mark
State of Ark's
County of Crawford }
Subscribed and sworn to before
me this the 11 day of Sept 1896
J.E. Wood N.P.
Comm Expires February 8 97

State of Ark
County of Crawford }
I Certify that this is a true copy of an
affidavit of John H. Marlow as evidence in the
J. J. Marlow claim for Citizenship in the
Choctaw Nation this the 5 day of
Sept 1894

J. E. Wood U S
Commissioner Choc Nation Feb 27/97

Copy of affidavit
John H. Marlow
C. C. Marlow & Co
Ark

Per Clerk H. Brown Fort Smith Ark

the claim of Bessie Rivers for fifty cents
in the Coroner's Action of 8 this the 5
day of Sept 1896

J. C. Wood N.P.
Commission Expires Feb 20 1899

Gaffney & Hollands
P.O. Box 12
Ft. W. Worden & Co
1776

State of Ark's }
County of Crawford } S.S.

R. S. Burns personally appeared before me a Notary Public within and for the County & State aforesaid & after being duly sworn according to law deposes and says.

Bessie Burns (Nee) Reorden is my wife and a granddaughter of Richard Morton. William Morton is a child common to my wife Bessie Burns (Nee) Reorden.

R. S. Burns

State of Ark's }
County of Crawford }

Subscribed and sworn to before me this the 4 day of Sept 1897.

J. E. Wood N. P.

(Com Expires Feb 20/99)

State of Ark
County of Craig } ss
I hereby certify that this is a true copy of an affidavit of R. L. Brown Evidence in the claim of Bussell Evans for extra work in the Colorado Section of R. R. this the 15 day of Sept 1896

J. C. Wood N. P.
Commission Expires April 20 1897

Certificate of Record
U. S. Ex. R. ....
Ft. Smith, Ark. ....
1897

No 1574

Pelican

Bessie Bunter

Lee & Morton & Co

(Ltd).

1 Jetboat

1 Hydrovil

Refit to Nice Fr

Mill and Sons

for Valuer

To the Hon Dawes Commission

Re Citizenship in the Five Civilized Tribes in the Indian Territory, Your Petitioner respectfully States that She is a Cherokee Indian by blood and applies to Your Honors as a member of the Cherokee Nation of Indians in the Indian Territory, & that She derives her said Indian blood from her Mother Martha A. Learden (Nee) Morton who was a daughter of Richard Morton. Richard Morton was an uncle to Thomas Morton and a great uncle to William Morton. Whose name appears on the Cherokee roll.

Your Petitioner States the above facts as her lawful grounds for her application for Citizenship in the Cherokee Nation and prays that her Claim may be duly & properly investigated by your Hon Commission and that She be adjudged as a Citizen of said Indian Nation & entitled to all the rights &

[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
with the land and treaties
with said Nation of Indians
I am 23 years of age
W. [illegible] Bolick Ark
I married to W. L. Burns
in the year 1893. result of
that marriage being one
child name as follows.
Lewis Burns age 2 years
Bessie Burns

State of Ark
County Crawford }
Subscribed and sworn to before
me this the 11th day of Jan 1896
J. E. Reed N. C.
Com. Expires Feb 20 1897

State of Ark
County of Crawford }
I certify that this is a true Copy of a
Petition Bessie Burns for Alligenship in the
Cherokee Nation this the 8-17 1896
Day of Sept 1896

J. M. Wood Clk
Commission Expires Feb 21/97

End

Nation's No. 2351

Commission's No.

In re Application of

Sarah Ann McFarland et al

Demurrer and Answer.

15

KEN

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Sarah Ann McFarland Nation's No. 2356

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the ground as thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same, for answer to said application, says that Betsey Fulton through whom the petitioner claim to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Harding & Bandinel Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 27 day of Feb 1896.

NOTARY PUBLIC.

G. W. HENDRICKS,
ATTORNEY AT LAW,
NOTARY PUBLIC
AND JUSTICE OF THE PEACE.
COLLECTIONS GIVEN PROMPT ATTENTION

Oswego, Kansas Sept 7th 1896.

To the Dawes Commission
Vinita I.T.

Gentlemen:- I have this day sent registered by mail to the Principal Chief of the Cherokee Nation at Tahlequah I.T. Indian Territy exact and true copies of the papers herein enclosed to your Honorable body.

Very Truly yours.
George D. Miller

To the Honorable Commission to the Five Civilized Tribes:

THE UNDERSIGNED, would respectfully make application for admission to citizenship in the Cherokee Nation, as provided by an act of Congress, approved June 1896, and present that

Sarah Ann McFarland is a Cherokee by blood and is a descendant of Betsy Sutton who was a Cherokee by blood and was a citizen of the Cherokee Nation, and that I am a sister of Robert Crockett who has applied for citizenship before your Commission that my maiden name was Sarah Ann Crockett and that Betsy Sutton is the Grandmother of myself and Robert Crockett and that her name appears on the roll of 1835

The names of the members of my family are as follows

Name	age	Relation
Sarah C. Riner	41	Daughter
George W McFarland	39	Son
John Jacob Riner	22	Grand Son
George F Riner	20	" "
Alvin E Riner	17	" "
Charles L. Riner	14	" "
Edward E Riner	12	" "
Ida M. Riner	10	Grand Daughter
William W. Riner	7	Grand Son
Robert C. Riner	5	" "
Albert W. Riner	2	" "
George W. Riner	1	Great Grand Son
Frolis McFarland	15	Grand Son
Nellie P McFarland	1	" Daughter
George F. Riner	45	Son-in Law

Affiant states that Sarah C Riner (Nee McFarland) is my daughter and Married George F Riner in 1873 at Oswego Kansas

Sarah Ann McFarland Applicant.

INDIAN TERRITORY,
NORTHERN DISTRICT, ss.

On this 5th day of September 1896 personally appeared before me a Notary Public of the above named District Sarah Ann McFarland to me personally known as the person named in the above, as set forth as her free, voluntary act and deed.

WITNESS my hand and seal as such Notary Public the day and year last above mentioned.

Witnesses:

J. A. Tillotson Notary Public
Comm Ex June 8th 1899

State of Kansas County of Labette ss.
T. W. Levitt of lawful age being first duly sworn
deposes and says, I am a resident of Oswego, Kans,
and my post office address is Oswego, Kans. I have
been acquainted with Robert Crockett of Cherkee
Nation, I. T. and Sarah J. McFarland of Labette Co
Kansas for about twenty-five years during all of which
time they were reputed to be brother and sister, and
further deponent sayeth not.

T. W. Levitt

Subscribed and sworn to before me this
7th day of Sept. 1896.

E. A. Kenney

Notary Public.

Com ex Oct. 6th 1896

State of Kansas Labette County, ss.
George L. Riner of lawful age, being duly sworn on oath says. I am a son in law of Sarah A. McFarland who has made application for citizenship in the Cherokee Nation; That the children mentioned in the application of said Sarah A. McFarland to wit John Jacob Riner; George F. Riner, Alvin E. Riner, Charles L. Riner, Edward E. Riner, Ida May Riner, William H. Riner Robert E. Riner and Albert H. Riner are my children and their mother is Sarah E. Riner, daughter of Sarah A McFarland. That George W Riner mentioned in said application is my grandson and a son of John Jacob Riner mentioned therein.

George L. Riner.

Subscribed and sworn to before me this 7th day of September 1896.

George W. Hendricks
Notary Public.

Com ex. Sept 26th 1896

State of Kansas, Labette County ss.
G. F. McFarland of lawful age being duly sworn upon oath says that he is a son of Sarah A. McFarland and that Robert Crockett is a brother of said Sarah A. McFarland, that the children mentioned in the petition of Sarah A. McFarland for citizenship in the Cherokee Nation, to wit; Leotis McFarland and Nellie McFarland are my own children.

George W. McFarland

Subscribed and sworn to before me this 7th day of September 1896 and I certify that affiant is personally known to me and that he is reputable and entitled to credence and belief.

George W. Hendricks
My Commission Notary Public
Expires Sept. 26th 1896.

State of Kansas County of Labette ss.

Wm McCully of lawful age being first duly sworn deposes and says I am a resident of Labette County Kansas and my postoffice address is Oswego, Kansas. I am well acquainted with Robert Crockett of the Cherokee Nation and I am also well acquainted with Saran A Copeland of Labette County Kansas. And I know of my own knowledge that the said Robert Crockett and Sarah A. Copeland are brother and sister. And further deponent saith not.

Wm McCully

Subscribed and sworn to before me this 7th day of Oct. A. D. 1896.

E. A. Lucas
Notary Public.

Com Ex Oct. 3rd 1896

No 1755 3 1

Sarah Ann McFarland

v.

Thomas Watson

Filed Sept 7 86

H. M. Jamieson

Clerk

Chicago, Kans

Rel Stat

Rus

State of Kansas County of LaBette ss.

James McHargue of lawful age being first duly sworn deposes and says I am a resident of LaBette County Kansas and my postoffice address is Oswego, Kansas. I am well acquainted with Robert Crockett of the Cherkee Nation and I am also well acquainted with Sarah A McFarland of LaBette County Kansas. And I know of my own knowledge that the said Robert Crockett and Sarah A. McFarland are brother and sister. And further deponent saieth not.

James H. Hargue

Subscribed and sworn to before me this 7th day of Sept. A. D. 1896.

E. W. Lewis

Notary Public.

Comm. Exp. Oct. 3rd, 1896

End

Nation's No.

Commission's No

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

No. 1571

D. M. Hyatt

v

Cherokee Nation

Filed 7 Sept 1896

Rejected

Byron City

N.C.

[illegible] Nation [illegible] Swain County

[illegible] the undersigned J. E. Snow [illegible] Superior Court Clerk in the County of Swain and [illegible] Ex-officio Post Master [illegible] City North Carolina who being by me duly sworn [illegible] does say mailed by registered mail to Hon. Samuel H. Mayes Principal Chief [illegible] Nation at Tahlequah, Indian Territory [illegible] true copy of the application for Citizenship of [illegible] with the evidence annexed. That Advice has to his possession [illegible] Vinita, Indian Territory the application and the evidence of the said [illegible] for Citizenship in said Territory. This 4th day of ~~August~~ Sept 1896.

[illegible]

Sworn to and subscribed, witness my hand and official seal this Sept. 1st 1896

J. E. Snow
Clerk Sup. Court
Swain Co. N.C.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ....

FOR ADMISSION TO CITIZENSHIP IN THE ..... NATION.

STATE OF .....

COUNTY OF .....)

Before me, the undersigned, a ..... in and for the County and State aforesaid, Personally appeared ..... who, after being by me duly sworn, states: That ... is ..... years of age, and a resident of the State of ..... and County of ....., and that ... is personally acquainted with ..... who is an ... applicant for citizenship in the ..... Nation. Affiant further states: (Here set out all that he knows about claimant's family and ancestors of Indian blood.)

Affiant futher states: That ..... has known the said ..... for the past ... years, and knows that ... has been and is recognized by ..... neighbors, acquaintances and the public generally as having ..... Indian blood, and that the complexion and physical appearance of the said ..... indicate that ... is of ..... Indian blood and descent. Affiant futher says, that from the above facts and circumstances, and from what he has heard and knows of the said ..... he believes the said ..... to be a descendant by blood of the ..... Indian tribe.

Subscribed and sworn before me this ... day of ..... 1896.

.....

My Commission expires .....

In the matter of the
Claim of Delitzyat

Appellants vs
Rhoda Gibson

and State of North Carolina, and that the Seal affixed hereto is the Seal of said Court.

In WITNESS WHEREOF, I hereunto subscribe my name and affix my official seal, this 1st of A. D. 189

Clerk Superior Court.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ... Dell Hyatt ...

FOR ADMISSION TO CITIZENSHIP IN THE ... Cherokee ... NATION.

STATE OF ... North Carolina

COUNTY OF ... Swain ...

Before me, the undersigned, a ... in and for the County and State aforesaid, Personally appeared ... Rhoda Gibson ... who, after being by me duly sworn, states: That she is ... 58 ... years of age, and a resident of the State of ... North Carolina ... and County of ... Swain ... and that she is personally acquainted with ... Dell Hyatt ... who is an for applicant citizenship in the ... Cherokee ... Nation. Affiant further states: (Here set out all that he knows about claimant's family and ancestors of Indian blood.)

That the abelicant is a son of Elijah Hyatt who is son of Nathan Hyatt who was a son Edwin Hyatt and Nancy A. Hyatt that Hannah Hyatts maiden name was Hannah Leatherwood a daughter of Edwin and Elizabeth Leatherwood - that Elizabeth Leatherwood was a daughter of Betsy Walker a full blood Cherokee Indian -

Affiant futher states: That she ... has known the said ... Dell Hyatt ... for the past ... 30 ... years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Cherokee ... Indian blood, and that the complexion and physical appearance of the said ... Dell Hyatt ... indicate that he is of Cherokee ... Indian blood and descent. Affiant futher says, that from the above facts and circumstances, and from what he has heard and knows of the said ... Dell Hyatt ... he believes the said ... Dell Hyatt ... to be a descendant by blood of the ... Cherokee ... Indian tribe.

her
... Rhoda X Gibson ...
mark

Subscribed and sworn before me this 1st day of ... Sept ... 1906.

... J. D. Robertson Seal.

My Commission expires ... Justice of the Peace Swain Co N.C.

No 10a PROBATE- CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY. Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA, } ***ss.***

_____ ***County.***

The foregoing Certificate of _____, a Justice of the Peace of _____ County, is adjudged to be correct; and I, _____, Clerk of the Superior Court of said County, do hereby certify that _____ was, at the time of signing the foregoing certificate, Justice of the Peace in and for the County of _____, and State of North Carolina, and that his signature thereto is in his own proper handwriting.

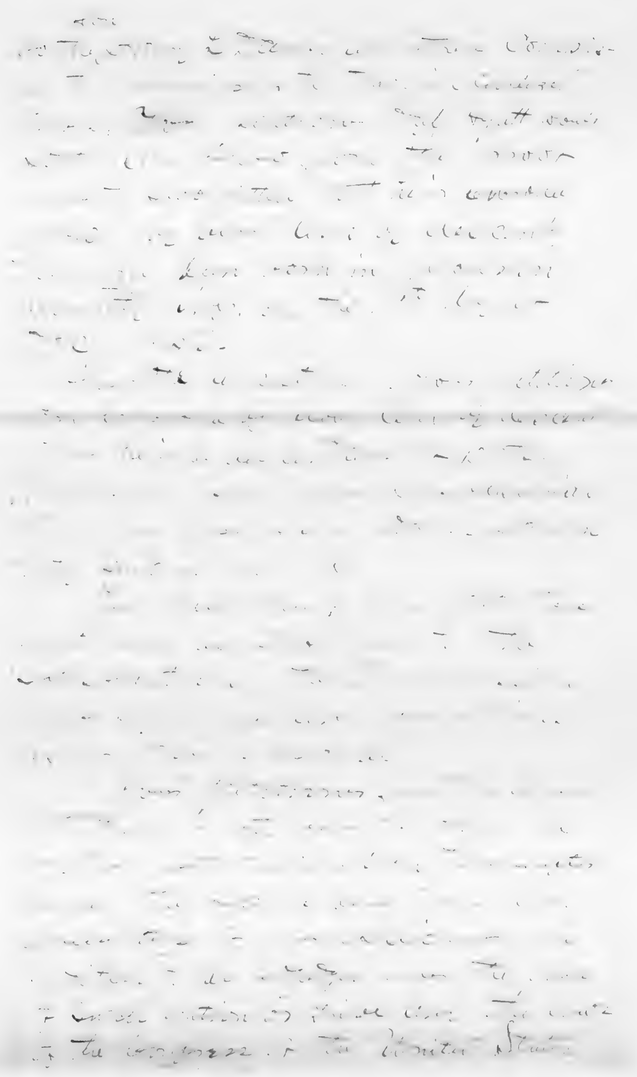
IN WITNESS WHEREOF, I hereunto subscribe my name and affix my official seal, this _____ day of _____ A. D. 189_.

Clerk Superior Court.

In the matter of the Claim of [illegible]

Application for Pension

Raleigh, [illegible]



Sworn to and subscribed before
me, this 1st day of September
Nov. Sept 1st 1846

J. T. Hunt
Clerk Supr Court
Iredell Co N C

POOR ORIGINAL -
BEST AVAILABLE COPY

End

EDMUND B. NORVELL,
ATTORNEY AT LAW.

Murphy, N. C., Sept 3d 1896

Hon Henry L. Dawes - Chairman
Commission to the Five Civilized Tribes
Muskogee Ind. Terr.

Dear Sir:

Enclosed find application of John D Mooney & with Copy of affidavit of J. W. Cooper in support of same. Please acknowledge receipt of same.

Yours truly
Edmund B Norvell

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 7 Rec'd Sept 3 1896

of E B Norvell

one letter

addressed to Hon Chief Cherokee Nation

Tahlequah I T

M L Manning P M

State of North Carolina
Cherokee County

Murphy, N. C. 189

I, John W. W. Bailey do solemnly swear that on the 2nd day of September 1896, I sent by Norman attorney registered package at the post office in Murphy, Cherokee County, North Carolina, addressed to the Hon. Principal Chief or Chief of the Cherokee Nation at Tahlequah, Indian Territory, and the registry receipt No 769 hereto attached is a receipt for same. I further swear that I saw Mr. Mooney sign said receipt and I know that Mr. Mooney is Post master for Murphy Cherokee County, North Carolina. I further swear that said package contained a copy of application of John J. Mooney for enrollment in the Cherokee Nation, together with a copy of the affidavit of W. P. Cooper in support of same. I further swear that I am not related by blood or marriage, and have no interest nor or remote in the application of said John J. Mooney &

John W. W. Bailey

Subscribed & sworn to before me this 2nd day of September 1896, and I further certify that affiant is a good character & worthy of credit & truth

Clerk Superior Court for Cherokee County, North Carolina

State of North Carolina
Cherokee County

Murphy, N. C. 189

J. H. Cooper being duly sworn says that he knows J. P. Meroney jr. who is making application to become a citizen of the Cherokee Nation, that the said J. P. Meroney jr. is a son of Martha A. Meroney who is a daughter of John Welch, that he knows the said Martha A. Meroney, and knows the said John Welch that the said Martha A. Meroney is of the Cherokee Indian blood that the said John Welch was of the Cherokee Indian blood making the said John F. Meroney jr 1/8 one eighth. Affiant is informed and believes the said Martha A. Meroney & John Welch, were duly enrolled as Cherokee Indians on the Census Rolls of the Cherokee Indians East of the Mississippi river

Affiant is not related by blood nor marriage to applicant John F. Meroney jr. nor has he any interest near or remote in the application of J. P. Meroney jr. Affiants age is 63 years

J. H. Cooper

Sworn to and subscribed before me this 1st day of June 1893 at Murphy, Cherokee County North Carolina

[illegible]

UNITED STATES, Cherokee
Indian Territory. } **Application for Citizenship.**

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 7th, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned John Mooney, Jr. makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That he is the son of martha A Mooney the daughter of John Welch. That said John Welch was full blood & his daughter Martha Mooney Sr. which makes applicant 1/4 Cherokee blood

who your petitioner firmly believes were

Cherokee Indian by blood and duly acknowledged members of the Cherokee Tribe of Indians and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokee Indians, now on file in the Cherokee Nation 1835 1848 1851 1852

Applicant says that he has never abandoned his residence in the Cherokee Nation, but has resided continuously therein since he was born, and intends to become a citizen of the Cherokee Nation.

Your petitioner is 31 years of age, his postoffice address is Murphy Cherokee Co. N.C. and his family consists of Cherokee Indian blood as as follows:

NAME	AGE	RELATIONSHIP
John Mooney Jr	31	Husband. Head of family
Lilla Mooney	33	Wife - dep
Lon Mooney	6	Child
Effie L Mooney	4	Child
Willie R Mooney	3	Child
Mary Mooney	1 mo	Child

Wherefore your petitioner prays that he and his wife and children may be enrolled and admitted as citizens of the Cherokee Nation.

Your petitioner herewith submits the proof of this application and respectfully requests that it be granted.

John Mooney Jr
By Edmund B. Merrill his attorney

STATE OF North Carolina, County of Cherokee

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this 1st day of Feb 1898 and I hereby certify that petitioner is known to me as the identical person represented in the petition and is a person of good character and worthy of credit.

End

Nation's No. 2117

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission is without jurisdiction of the parties or subject matter of this controversy, and no legal right, there has been conferred upon it to determine the same.

2nd. That the said petitioner has failed to show that the applicant is entitled to citizenship.

Respondent now having fully answered, and having upon the same answer to said application, says that

through whom the petitioner claims to derive right of citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory, at the place located and defined, that his name does not appear on any of the rolls of said Nation; that neither he nor any of his ancestors now reside, nor ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at Guelph

Registered Letter Parcel No. 62 Rec'd 9/7 189

of E. P. R. Accounting

addressed to Hon C. H. Mackintosh

Telegraph. D.T.

John Eyden P. M.

I A. Adams do solemnly
swear that on 7th day of Sept
1896 I saw a package
registered at the Post-Office at
Kabulpa D.T. addressed to
Asa. C.F. Mayes. Governor of
Chief of the Choctaw Nation
Lehlesphah Dist Ivy. that registry
receipt. to as received from
Post-master hereto attached
is a receipt for said package
which contained true copies of
the application of C.P.S. Mcrington
and of the affidavits of J.E. Mcrington,
Chas E Bamard and evidence
in support of same

A. Adams

First Jud. Dist
Ind. T.

Subscribed and sworn to this
7th Day of Sept. 1896.

Jas. J. Brattain
Notary Public

United States of America

To Peter P. Pitchlynn
Choctaw Commissioner
Greeting

The undersigned E. V. P. Arrington respectfully represents that he is a son of Nancy Arrington and that the said Nancy Arrington was at Cherokee Indian Head and was recognized a member of the Cherokee Tribe of Indians and from whom your petitioner derives this Cherokee Head and through whom he is entitled to Cherokee Citizenship in the Cherokee Nation. That Nancy Arrington Nancy whose name was ~~a man born~~ born and that the said Nancy ~~Cau-han or Cow-kom~~ was a Cherokee by Blood; that the name of said ancestor of your petitioners should be found in par certain census rolls taken and made of the Cherokee that his family containing Cherokee Blood consists of the following persons to wit:-

Nancy M Adams	aged 51 years	4 children
J. E. Arrington	" 34 "	6 "
L. E. Reaves	" 43 "	no children

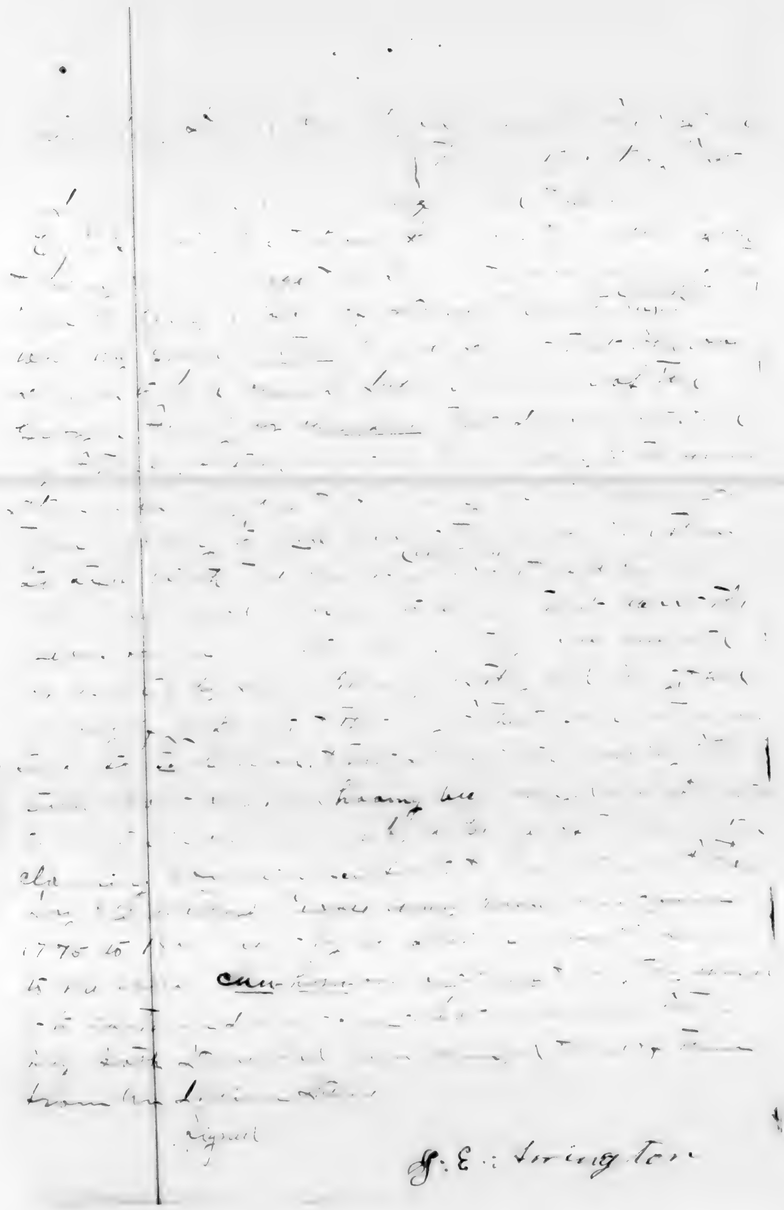
Wherefore your petitioner submits to this Honorable Body his application for admission or readmission in the Cherokee Nation Dist. Ind. Ty. as Cherokee Indians by blood and respectfully submits the foregoing facts duly verified together with the affidavits hereto annexed and ask that they shall be heard and considered and passed on in accordance with the laws governing such cases and the precedent established and of public record in such cases and recorded equal rights with other members of said tribe and for all proper relief.

Dated Sept 11th A.D. 1896.

E. P. B. Pringle Applicant

Sworn and subscribed to before me at Thornton Ark. this 11th day Sept A.D. 1896
My Commission Expires June 1st 1897

J. H. Fox Notary Public
Limestone Co. Ark.



POOR ORIGINAL -
BEST AVAILABLE COPY

Sworn to and subscribed before
me this August 1st 1896

Deputy Clerk

County Clerk

144

No. [illegible]

E. P. Arlington

v.

[illegible]

Filed Sept. 7-26

[illegible] January

Secretary

Rejected

Sept 26, 21

[illegible] January from Alabama Arrington
[illegible] came in this [illegible] Bros and
[illegible] from and Edward Arrington for
[illegible] the son of Young Arrington
[illegible] the year 1[illegible] Bros [illegible] to them
[illegible] and Red and as it was
[illegible] known that they, with
[illegible] Bros Indian Woman by
[illegible] and all other old settlers
[illegible] [illegible] [illegible] and
[illegible] [illegible] with
[illegible] [illegible] [illegible] Arrington
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

other Cherokee Indians came over by the name of Mac Gulick and the other by the name of Riley, and whom settled in Cedar Bayou - to gether with all other Cherokees claimed to belong to the Village party of the Indians that were then living near Fort Wilson and in the year 1839, or there about disagreement between the Texas and the said parties, Mr Rusk and the others came to Texas in the year 1840-41 and remained there for a time & then finding that they could not get an Indian title to the land

[redacted]

Deponent formerly also knew the Gibson's who owned Lands and also the Grant did all come to Texas in the same Emily Texas, and have been near the old Indian Town on the Trinity River, the Gibsons settled on and near Lynchburg Bayou, the Gibsons & Hoys and others were there when I left the Country. And I the said Mary Goode is not in law or any Lands - and the legal representatives of said Cherokees there in Texas

Chas. E. Barnard

Travis County Texas
July 31st 96.

The State of Texas } Sworn to and subscribed
County of Harris } before me this the 31st day
of July A.D. 1896.

J B Brashear Clerk and
Ex Off N P Harris Co Texas.

FRAME 2

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of [illegible]

Nation's No. [illegible].

Commission's No.

for admission as Citizen of the Cherokee Nation.

You are hereby notified that the Principal Chief of the Cherokee Nation, on behalf of said Nation, objects and demurs the said petition and [illegible]

2nd. That the Cherokee Nation has a valuable property right involved in this controversy, according to [illegible]

3rd. That the said [illegible] the applicant [illegible] per cent [illegible] the Cherokee Nation.

Wherefore, the said [illegible] demurs to the petition and [illegible] and said application, and that [illegible]

Thereupon, with the permission of the Commissioners, the [illegible] right to [illegible] the Cherokee Nation, since the [illegible] that has come into [illegible] of said Nation, [illegible] and [illegible] the Cherokee Nation.

Hearing of the answer [illegible] dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

I, the undersigned, Executive Secretary, Cherokee Nation, being first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me, this the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC.

Georgia [illegible] County.

Personally comes Joel H. Sanders, who on oath says that he is 36 years of age, that he is a Lawyer by education, and lives in Cedartown Ga. Deponent knows Ike Glenn who makes application for admission to citizenship in the Cherokee Nation to be the person he represents himself to be. He is of good character, and generally reputed to a descendant of Indian stock. He is generally taken and adjudged to be of Indian parentage from his great resemblance to the Indian race. Although he is part negro, he has all the racial features of the Indian. It is readily tracable in his complexion hair, eyes and general appearance. Deponent firmly believes he is largely mixed with Indian.

J H Sanders

Sworn to and subscribed before me

This Sept 4th 1896.

Jas Brewer Ordinary

Personally comes T. F. Burbank who on oath says he is a druggist by occupation, he is 51 years of age, and has known Ike Glenn for 23 years. He is of good character and worthy of belief. Deponent has read the above affidavit of J.H. Sanders and verily believes the same is true. Deponent has no interest whatever in the claim of Ike Glenn to citizenship in the Cherokee Nation nor in any recovery he may be entitled to.

T. F. Burbank

Personally comes The above affidavit subscribed and sworn to before me and certify that said T. F. Burbank is personally known to me, also J. H. Sanders both of whom I certify to be men of high standing and unquestioned character.

Jas Brewer Ordinary

Georgia Polk County.

Personally Come before the undersigned
Nepe Glenn who on oath says that he
is now 78 years of age, and lives at Cedar-
town Polk County Ga. deponent was born
in Oglethorpe County Ga. a Slave, and
belonged at his birth to Welcome Parks,
who died about 1850 in Cowita County Ga.
After his death deponent became the slave
of his daughter Lucy Parks, who after-
wards married Mathew Glenn and moved
to Coosa County Alabama. deponent re-
mained in the Glenn family in Alabama
until he was emancipated.

The mother of deponent was named Sylla
Parks. Sylla Parks mother was named Cressa Parks
Cressa Parks mother was also named
Sylla Parks, and her father was a full blood
Cherokee Indian named "Indian Willis.
All of said named parties were slaves except
Indian Willis who was an Indian.
Indian Willis lived in Cowita County Ga and
died there to best of deponents Knowledge & recollection
about 1857. He was the great grand father of
deponent, and was always in the family
history the acknowledged father of two Chil-
dren by deponents great grand mother Sylla,
to wit Burrell a male and Cressa a female

the last named being deponents grand mother, who was the mother of 8 Children by name as follows, Allen, Green Charlie, Martha Jane, Clarke, Malissa and Sybla, the last named being the youngest and the mother of this deponent. She is now living at Talladega Springs, in Talladega County Ala. Deponent has often heard his mother, and his grand mother boast of their Indian blood and tell of the traditions of the tribe, which they had learned from Indian Wills.

Deponent remembers Indian Wills distinctly, and was associated with him Continually from the time of his earliest remembrance until he was about 15 years of age.

He was a typical Indian in his appearance, manner and habits, and deponent firmly believes was an acknowledged member of the tribe of Cherokee Indians.

He usually Carried his bow and arrow and supported himself by hunting and fishing. He had not followed no other occupation, from the time deponent first remembers to have seen him until his death.

He very frequently talked about and praised his Chief who he said was Indian McIntosh and burned near Whitesburg Carroll County (County of) Ga, and near the Chattahoochee river.

He looked, acted and talked Indian and could scarcely talk English so as to be understood. He frequently visited the grave of his dead Chief. Deponent has often seen this grave showing at that a small house built over it and was told to be the grave of Nicodemus Indian Willis. Indian Willis would frequently go away on his hunting & fishing trips and stay away two or three weeks, when he would return deponent has often heard him, in Company with deponents mother & grand mother Cressa and his great uncle Burnett who was the recognized son of Indian Willis, tell of the traditions and customs of his tribe, and has frequently seen them engage in singing and dancing what they called the Indian dance. Indian Willis called deponent "Pigeoning" and always appeared to think a great deal of deponent.

Deponents family Consists of a wife and ten Children all minors except two. Frank who is 23 years old and lives at Anniston Ala. and Lila a girl now 21 years old & lives with deponent.

Deponent swears that he desires to become a citizen of the Cherokee Nation and to secure his rights as

for himself and family as such an Indian and makes this affidavit, and submits such proof as he is able, in the limited time allowed him to procure, to that end, and awaits the determination of same.

I, Ike Glenn do swear that the facts stated in the foregoing affidavit are true to best of my knowledge and belief so help me God. I Joel Brewer Ordinary of Dade County Ga. do Certify that Ike Glenn is personally known to me, as the person he represents himself to be. I further Certify, that he in appearance shows Indian blood. He has many of the racial features of the Indian, his Complexion, hair and general appearance indicates Indian descent, He is ~~said~~ generally reputed in the Community to be of Indian Stock. I further Certify that said Ike Glenn is a man of good Character and worthy of Credit.

his
Ike X Glenn
mark

Sworn to & subscribed before me this
the 4th day of September 1876
Joel Brewer Ordinary

Georgia Paulding County

No 1347 — Ira Glenn

Ira Glenn
vs
Cherokee Nation
Filed 7 Sept 1896
Jno Brooks Clk

Application for Citizenship in Cherokee Nation

Rejected

W B Bechalds Atty
Adairtown
Ga

W B Bechalds Atty
Cedartown
Ga

End

Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

John Fogarty et al

Nation's No. 9559

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

Sophia Fogarty

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Fontaine, Hitchings & Bruce Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 6 day of [illegible] 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at Cochranville P.O.

Registered Letter / Parcel No. 438 Rec'd Sept 15 1896

of Lahn Gregory for Elizabeth Gregory and Hattie Gregory

addressed to Chief Mgr. Tobacco Co

Sept 15 1896 P. M.

State of Arkansas

County of Crawford

Personally appeared

Before me A. C. Wilson a

Notary Public in and for said

County and State Hudson Gregory

who on oath States I am 59 years of age

I am a Cherokee Indian I am Personally

acquainted with Elizabeth Teague I know

her to Be the Daughter of Nancy ann Fidd

who is my Daughter The said Nancy ann

Fidd is my Daughter and is of Cherokee

Blood I in an Early day Left The old

Country . . . I was a Recorded

Citizen of that Country

Hudson Gregory

Subscribed and Sworn to before me

This Sept 7 1896

A. C. Wilson

Notary Public

No

PETITION OF

for and on behalf of

and heirs

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1890, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: I [illegible] Lola [illegible] Hall [illegible] Grayson

[illegible]

[illegible] Lola [illegible] Hall [illegible] Grayson

[illegible]

[illegible] Lola Rose Hall [illegible] Grayson

[illegible] Lola Rose Hall [illegible] Grayson applied for Citizenship in the Cherokee Nation

[illegible] Texas to wit:

In witness of which I have hereto set my hand on this [illegible] day of [illegible] 1896

[illegible]

[illegible]

No. 1440

PETITION OF

John Gregory

for and on behalf of

Cherokee Nation

and heirs

Filed 7 Sept 1896

H.M. Jacoway

Clk

Refusing Claim

of Joshua Wiggary

for Cherokee Orphan Fund

Rejected

Attorney for Petitioner.

Cattowood

and 4

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1890, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned [illegible] petitioner [illegible] for enrollment as [illegible]

and hereby [illegible] to the provisions of the [illegible] and of those entitled to share [illegible] lotments of land in the [illegible] Nation, by virtue of their Cherokee blood, and [illegible]

[illegible]

[illegible]

In support of said claim and herein [illegible] Post Office [illegible] shall be heard and [illegible]

[illegible]

Enrollment Claims [illegible] relationship [illegible]

NAMES	AGE	RELATIONSHIP
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

Subscribed and sworn to before me this [illegible]

In Witness of Which I have unto set my hand on this [illegible] day of [illegible] 1896

[illegible]

[illegible]

[illegible]
Notary Public

End

Nation's No. 1076

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of [illegible]

Nation's No. [illegible]

Commission's No. [illegible]

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy, and no legal right thereto [illegible] and determine the same.

2nd. That [illegible] to show that the applicant [illegible] entitled to citizenship.

Respondent not waiving [illegible] demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claim to derive [illegible] right to [illegible] upon the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear upon any of the [illegible] rolls of said Nation; that neither he nor any of his ancestors now [illegible] ever been known in the Cherokee Nation and Indian Territory as citizens thereof.

Respondent, for further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for readmission to citizenship in the Cherokee Nation: That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer. [illegible]

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

[illegible]

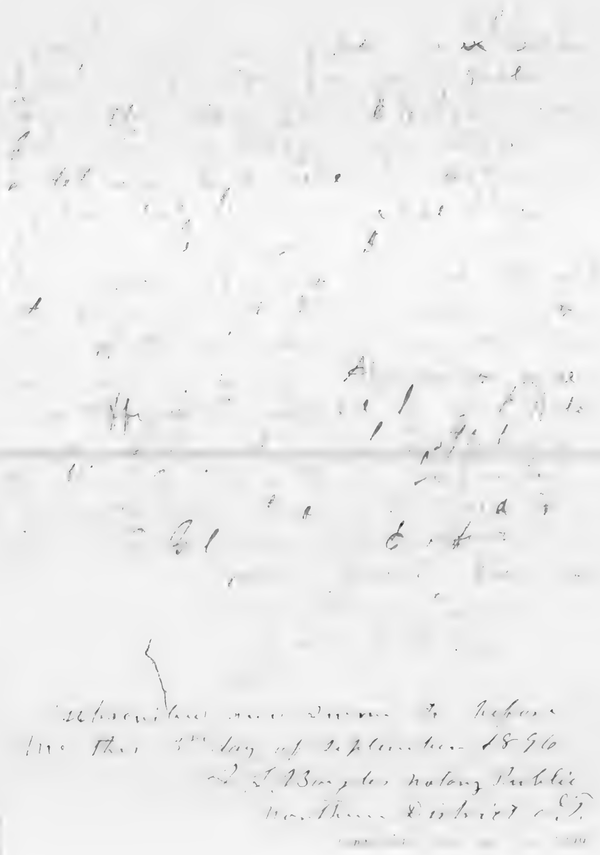
NOTARY PUBLIC

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 9th day of Sept. 1896.

John L. Adair.
Executive Secretary



Acknowledged before me this 3rd day of September 1896
J. J. Bingler Notary Public
Northern District of Cal.

5

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Tahlequah, Indian Territory:

The undersigned ..... your petitioner, makes this application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of claim, to wit:

That ~~he is the~~ ..... of one ..... and the ..... of one ..... and the ..... of one ..... who, your petitioner firmly believes, was a Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom ... derived ... Cherokee Indian blood, entitling ... to citizenship in the Cherokee Nation, Indian Territory.

That ~~..... name and~~ the name of said ancestor should be found to appear on the Census Rolls, taken and made of Cherokees east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner respectfully awaits the time ~~this~~ ... application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner ~~is~~ are 25 42 25, years; that ... postoffice address is ..... and that ~~..... family~~ by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks.

In Witness Whereof, ~~I~~ we have hereunto set ~~my~~ our hand at ..... this, the 12 day of ..... A. D., 1896

Edward ... Tyler

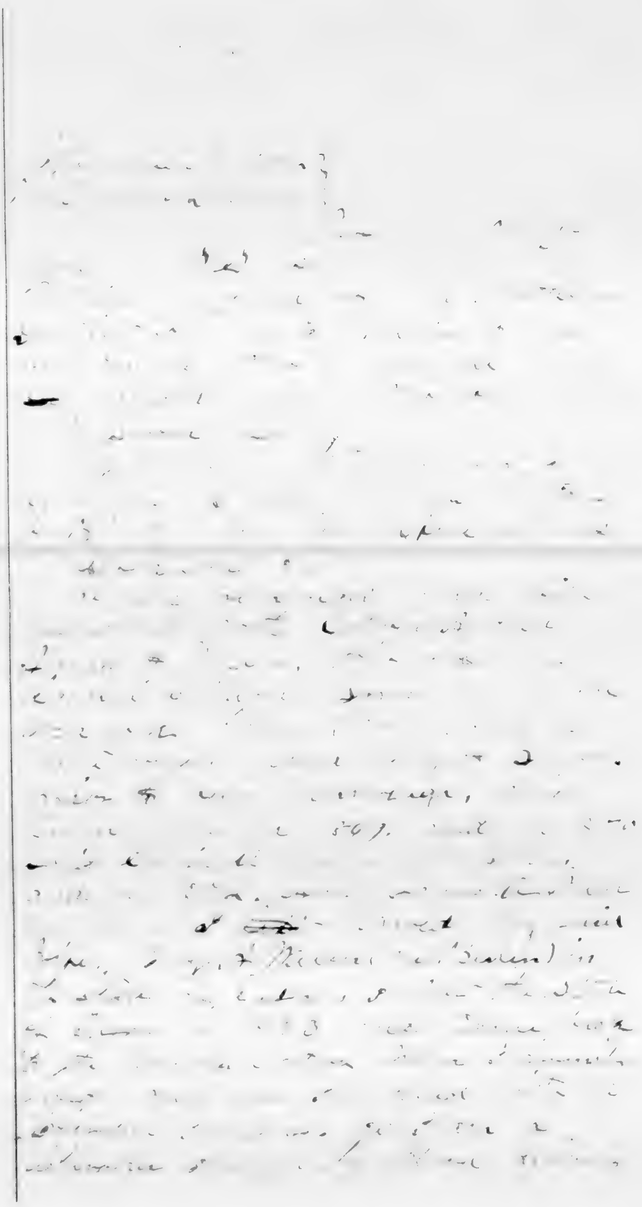
Attest:

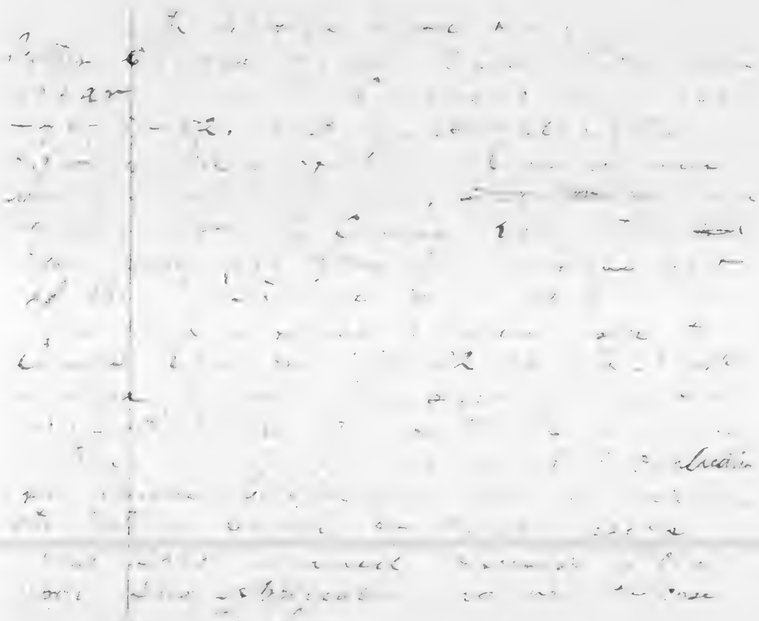
[SEAL]

Subscribed and sworn to before me at Tahlequah Ind Ter this, the 12 day of August A. D., 1896

A. H. Bagley Notary Public Northern District I.T.

Commission Expires July 19th 1899





Edward A. Welch
James A. Welch
v.
Delaware Estate

Filed Sept 7, 1886
H. McJennings
Secretary

Rejected

Ways & [illegible]

G. W. Castleberry

W. T. Castleberry

Subscribed and sworn to before me
This the 10 day of April 1883

H. J. Gilmore ex P Ex officio
Notary Public Prec No 1
Rock County Texas

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Page 504, Record D.

Office Commission on Citizenship,

Battleford, N.W. Ter., Oct. 3rd, 1887.

Docket. No.	Name.	App. Cox.	Post Office.	Atty.
1	James [illegible] A. Welch, [illegible]		Post Master, Ch.	

Applicant for Canadian Citizenship

Born [illegible] 1866

Came to Can. [illegible] 1882

Ancestor

Edward Welch

Dec.

Chargeable [illegible]

Office Commission on Citizenship,

[illegible] N.W.T.

Battleford, Sept., 2nd, 1887.

The above application was called for hearing and no answer appearing in person or by Attorney, and no evidence on file in support of the application. Decided to dismiss J. A. [illegible] A. Welch [illegible] Chargeable [illegible] Board.

[illegible] Postmaster, Ch.

[illegible] J. Vaux, Chairman.

[illegible] Vaux, Com.

Attest.

D. S. Williams,

Asst. Clerk Com.

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

Attorneys.

By

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Sturbridge Mass

Registered Letter / Parcel No. 17 Rec'd Sept 3 1896

of E B Morse

one letter

addressed to Municipal Court Boston Mass

Tahlequah I T

W L Mannery P. M.

ARMY
U.S.
M.O.B.

State of North Carolina
Cherokee County

I John M. M. Ansley do solemnly swear that on the 3rd day of September 1836, I sent E. B. Ferrell register a package at the post office in Murphy Cherokee County North Carolina, addressed to the principal Governor or Chief of the Cherokee Nation at Tahlequah Indian Territory. and that registers receipt hereto attached. Numbered 74 is a receipt for same

I John McMurray sign said receipt & know that the said Mr. McMurray is the post master at Murphy Cherokee County North Carolina.

I further swear that said package contained a true copy of the application of Rena Walker together with true copies of depositions of John E. Grace and Jessie Hughes in support of same

I am not related by blood or marriage to the Rena Walker the applicant and have no interest near or remote in her application.

Subscribed sworn to before me this 21st Sept 1846, and I do certify the applicant is of good character and worthy of credit said Affy

Clerk Superior Court for Cherokee County North Carolina

1

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DOCUMENT GLUED

North Carolina
Cherokee County

[illegible] being duly sworn
says that he knows Rena Warlick who is making
application to become a citizen of the Cherokee nation
that the said Rena Warlick is a daughter of Rickard
Henson deceased and Peggy Henson his wife.
That he was well acquainted with Rickard Henson and
Peggy Henson his wife that the said Peggy Henson
was a full blood Cherokee Indian as affiant is
informed & believes that the said Peggy Henson spoke
the Cherokee Indian tongue or language.
That the said Peggy Henson was enrolled on the
Census Rolls of the Cherokee Indians as well
as her daughter Rena Warlick said Rolls being
made in 1835 1848 1851 1852
That the said Rena Warlick & Peggy Henson did draw
money from the Government of the United States
as Cherokee Indians as late as 1894 Affiant says
that he is not related by blood or marriage to the said
Rena Warlick and has no interest near or remote
in her application that this affidavit is made freely
without reward or the hope of reward. Affiant age is
[illegible] years Post office Murphy Cherokee County N.C.
Affiant says that the said Rena Warlick and Peggy
[illegible]

North Carolina
Cherokee County

being duly sworn
says that he knows Rena Warlick who is making
application to become a citizen of the Cherokee nation
that the said Rena Warlick is a daughter of Richard
Henson deceased and Sarah Henson his wife.
That he was well acquainted with Richard Henson and
Peggy Henson his wife that the said Peggy Henson
was a full blood Cherokee Indian as affiant is
informed & believes that the said Peggy Henson spoke
the Cherokee Indian tongue or language.
That the said Peggy Henson was enrolled on the
Census Rolls of the Cherokee Indians as well
as daughter Rena Warlick said Rolls being
made in 1835 1848 1851 1852
That the said Rena Warlick & Peggy Henson did draw
money from the Government of the United States
as Cherokee Indians as late as 1869 Affiant says
that he is not related by blood or marriage to the said
Rena Warlick and has no interest nor reward
in the application that this affidavit is made freely
without reward or the hope of reward. Affiants age is
[illegible] years Post office Murphy Cherokee County N.C.
Affiant says that the said Rena Warlick and [illegible]

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BEST AVAILABLE COPY

Henson and their descendants have always been recognized as Cherokee Indians by blood. affiant further says that the said Rena Workman & Peggy Henson and their descendants have always been recognized and treated as their neighbors and acquaintances and the public generally as Cherokee Indians by blood and affiant says that from the foregoing circumstances and the appearances of the Rena Workman & Peggy Henson & their descendants & Conversations with the said Rena Workman & Peggy Henson he verily believes and has every reason to believe that they and their descendants are of Cherokee Indian blood

[illegible]

subscribed & sworn to before me this 2nd day of September 1896 and I further certify that the affiant is well known to me and that he is of good Character and entitled to [illegible]

[illegible]

[illegible]

[illegible]

ATTORNEY AT LAW.

POOR ORIGINAL
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No. 1628
Ex parte

Rena Warlick

application for
Citizenship in
Cherokee Nation

Filed Sept 7, 1896
A. L. McKinney
Comr

Referred to
Edmund B Howell
Murphy
N.C.

State of North Carolina
Cherokee County

James Vaglee being duly sworn says that he knows Rena Walker who is making application to become a Citizen of the Cherokee Nation That the said Rena Walker is a ~~dau~~ daughter of Richard Henson dec'd and Peggy Henson his wife - That he was well acquainted with Richard Henson and Peggy Henson his wife. That the said Peggy Henson was a full blood Cherokee Indian as affiant is informed & verily believes That the said Peggy Henson spoke the Cherokee Indian tongue or language - That the said Peggy Henson was enrolled on the Census rolls of the Cherokee Indians as well her daughter Rena Walker said Rolls being made in 1835 - 1848 - 1851 - 1852
That the said Rena Walker & Peggy Henson drew money from the Government of the United States as Cherokee Indians as late as 1869 affiant says that he is not related by blood or marriage to the said Rena Walker and has no interest near or remote in her application That this affidavit is made freely without reward or hope of reward affiants age is 56 years Post office Murphy Cherokee County N. C.
Affiant says that the said Rena Walker and Peggy Henson and their descendants have always been recognized as Cherokee Indians or blood - Affiant further says that the said Rena Walker & Peggy Henson and their descendants have always been recognized and treated by their neighbors and acquaintances and the public generally as Cherokee Indians by blood. [illegible]

affiant says that from the foregoing circumstances and the appearance of the Tina Warren & Peggy Henson & their descendants & conversations with the said Tina Warren & Peggy Henson he verily believes and has every reason to believe that they and their descendants are of Cherokee Indian blood

James Boyles

Subscribed & Sworn to before me this 2nd day of September 850 And I further certify that the affiant is well known to me and that he is of good character and entitled to faith and credit

~~Justices of Peace~~ for Cherokee County, North

State of Rock Island
Number County } I J. H. Wells clerk of the
Superior Court in Number County do hereby
certify that J.H. Woods whose name is signed
to the annexing record, attached to the affidavit
of Peter Pendleton and the deposition of
is now and was at the
time of signing same a duly acting and
acting justice of the peace in Number County Rock
Island at the time of signing same and that
as of his official acts as such are entitled to
full faith and credit; I am acquainted
with the handwriting of said J.H. Woods and
believe his signature to said papers to be genuine.
Witness my hand and official seal at my
office in Winthrop this 24th day of September 1896

Clerk of the Superior Court
Number County Rock Island

POOR ORIGINAL -
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DOCUMENT GLUED

UNITED STATES,
Indian Territory.

Application for Citizenship.

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 8th, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned Rena Warlick makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That she is the daughter of Richard Fenson dec'd & wife ~~wife~~ of Fenson

who your petitioner proudly believes was a Cherokee Indian by blood and a duly acknowledged members of the Cherokee tribe of Indians and from whom petitioner derived ~~his~~ Indian blood entitling ~~him~~ her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokee Indians made of and by the Cherokee Indians in 1835, 1848, 1851, 1852

Applicant says that she has never abandoned her rights as a Cherokee Nation and is now and always has been ready and willing to become a citizen of the Cherokee Nation, having drawn money as a Cherokee Indian from the U.S. Government as late as 1869

Your petitioner ~~is~~ appears of age, his postoffice address is Murphy Cherokee County NC. and ~~he~~ she is family by tribe of Cherokee Indian blood is as follows Only of Family

NAME	AGE	RELATIONSHIP
Rena Warlick	29	Only

Applicant was heretofore enrolled as Rena Ruddle and as Rena Warlick, wife &c.

Wherefore your petitioner prays that her name may be enrolled and she be admitted as a citizen of the Cherokee nation in the Indian Territory

Rena Warlick
by Rena Warlick
by her attorney in fact W. B. Worrell

STATE OF North Carolina , County of Cherokee

Rena Warlick

Subscribed and sworn to before me this 2nd day of Sept 1896 and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and credible credit

Justice of the Peace for Cherokee County
North Carolina

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End

Nation's No. 9

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of [illegible]

Nation's No.

Commissioner's No.

[illegible] Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for [illegible]

1st. That this Court [illegible]

2d. That [illegible] that the applicant [illegible]

Respondent [illegible] says that

[illegible] right [illegible] Nation, [illegible] that he [illegible]

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his [illegible]

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

No. 1626
Eppes
Lizzie Maddox

Application for
Citizenship in
Cherokee Nation

Filed Sept 7th 1896
A. J. McKennon
Comm

Respectfully

Edmund B. Morrell
Muskogee N.C.

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 75 Rec'd Sept 13 1896

of C B Worden

One letter

addressed to Principal Chief Cherokee Nation

Tahlequah I T

Mc L Meaney P. M.

U. S. O. E.

State of North
Cherokee County

I John W. Ashley do solemnly swear that on the 13th day of September, 1896, I saw E. B. Norville register a package at the post office in Murphy, Cherokee County, North Carolina, addressed to the Hon Principal Chief of the Cherokee Nation at Tahlequah Indian Territory; and that the registry receipt No 705 hereto attached is a receipt for same. I swear that I saw M. L. Mauney sign said receipt, and I swear that I know that M. L. Mauney is the post master at Murphy Cherokee County; I further swear that said package contained a Copy of the application of Liggie Warlick and Copies of the affidavits of John E. Shaw and James Vaughn in support of same. I am not related by blood nor marriage to said Liggie Warlick nor have I any interest near or remote in her application.

John W. Ashley

Subscribed & Sworn to before me this 3rd day of September 1896. and I Certify that affiant is of good Character and worthy of Credit and Belief.

Clerk Superior Court for Cherokee County, North Carolina.

In re Eligibility of Cherokee Indian

State of Arkansas
County of Sevier

Before me [illegible] came Deputy Clerk of Sevier County Arkansas Applicant who is making application to become a citizen of the Cherokee Nation that the said Lizzie Hudson is a daughter of Rena Hudson who is a daughter of Richard Henson & Peggy Henson that the said Rena Hudson is half blood Cherokee Indian and Peggy Henson her mother was a full blood Cherokee Indian as Applicant is informed & believes. Applicant says that he knows Rena Hudson & knew Peggy Henson that the said Peggy Henson spoke the Cherokee Indian tongue or language. Applicant says that the said Peggy Henson and Rena Hudson were enrolled as Cherokee Indians on the census Rolls of 1885, 1896, 1871, 1880 roll of the Cherokee Indians that the said Rena Hudson & Peggy Henson died & moved from the limits of the Cherokee Nation as long ago as 1869. Applicant says that he is not related by blood or marriage to Lizzie Hudson the applicant, and he has no interest in or remote in the application, that this statement is made freely & without reward or the hope of reward. Applicants age is [illegible] and his post office address is Sevier County Arkansas. Applicant says that the said Rena Hudson and Peggy Henson and their descendants have always been recognized as Cherokee Indians by blood Applicant further says that the said Rena Hudson & Peggy Henson & their descendants have always been recognized by Cherokee Indians & their neighbors and acquaintances and is known generally as Cherokee Indians by blood, and Applicant says that from the surrounding circumstances and the appearance

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of the Pima Warlick & Peggy Hinson and their descendants and connection with the said Pima Warlick & Peggy Hinson he verily believes and has every reason to believe that they & their descendants are of Cherokee Indian blood

[illegible]

subscribed & sworn to before me this [illegible] day of [illegible] 1911 and further certify that the affiant is well known to me, and that he is of the Cherokee and entitled to enroll & receive

[illegible]

[illegible] and for Cherokee

[illegible]

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North Carolina
Swain County

[illegible] being duly sworn says that he knows Liggie Warlick (wife of N. Warlick) who is making application to become a Citizen of the Cherokee nation. That the said Liggie Warlick is a daughter of Rena Warlick who is a daughter of Richard Henson and Peggy Henson. That said Rena Warlick is half blood Cherokee Indian and Peggy Henson her mother was a full blood Cherokee Indian as affiant is informed and believes. Affiant says that he knows Rena Warlick and knows Peggy Henson that the said Peggy Henson spoke the Cherokee Indian tongue or language. Affiant says that the said Peggy Henson and Rena Warlick were enrolled as Cherokee Indians on the Census Rolls of 1835, 1848, 1851 1852 made of the Cherokee Indians. That the said Rena Warlick (nee Henson) and Peggy Henson drew money from the United States Government. Affiant says that he is not related by blood nor marriage to the Liggie Warlick the applicant and has no interest near or remote in her application that this affidavit is made freely without reward or the hope of reward. Affiants age is 55 this 1st day of April Murphy Cherokee County North Carolina Affiant says that the said Rena Warlick and Peggy Henson and their descendants have always been recognized as Cherokee Indians by blood. Affiant further says that the said

Rena Woolsey Peggy Henson and their descendants have always been recognized & treated by their neighbors and acquaintances and the public generally as Cherokee Indians by blood, and Affiant says that from the foregoing circumstances and the appearance of the Rena Woolsey & Peggy Henson & their descendants & conversation with the said Rena Woolsey & Peggy Henson he verily believes and has every reason to believe that they and their descendants are Cherokee Indian blood. The said Richard Henson did not have any Indian blood in him

Subscribed & sworn to before me this 3rd day of September 1906, and I further certify that the Affiant is well known to me, and that he is of good character & credit

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[illegible]
[illegible]
Brunswick County

I, D. D. Watts clerk of the superior court for Brunswick County, do hereby certify that Everett whose name is signed to the foregoing bond attached to the application of Lyssie Mallett ~~and the Sureties to~~ is now and was at the time of signing same a duly qualified and acting Justice of the Peace for Brunswick County, North Carolina & the time of signing same and that full faith of official acts as such are entitled & full faith and credit -- and acquainted with the handwriting of said J. P. Watts and believe his signature to said bond to be genuine. Witness my hand and official seal at my office in Lockwood this 21st day of September 1896.

D. D. Watts
Clerk of the Superior Court
Brunswick County, North Carolina

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UNITED STATES. of America
Indian Territory. } **Application for Citizenship.**

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMERY, United State Commissioners authorized to act by Congress of June 10th, 1896, to hear and determine Claims of Citizenship in the Cherokee Nation.

Lizzie Mullick makes the application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a person entitled by blood, in accordance with the act of Congress and the laws of the Cherokee Nation, and respectfully submits the following petition in support thereof:

That she is the daughter of Rena Mullick who was the daughter of Richard Vann and Peggy Vann nee Ivey

That your petitioner was born on the [illegible] day of [illegible] A.D. 1[illegible] and is now [illegible] years of age; that she is a Cherokee Indian by blood and that her said married girl has never been married; that her father was a citizen by blood of the Cherokee Tribe of Indians and from whom petitioner derived her Indian blood, entitling her to citizenship in the Cherokee Nation.

That the names of all persons known to be living who appear on the roll of Cherokee Indians, made by the Dawes Commission, are [illegible]

Affiant says that she has never abandoned her home as a bona fide Indian, and is now, and always has been, a resident and citizen of the Cherokee Nation in the Indian Territory.

Your petitioner's post-office address is Murphy, Cherokee Co. N.C.

Witnesses:
1. Jno. Forbes
2. Lizzie Vann

husband and parents of applicant.
Wife

Witness own testimony shows that her name may be enrolled and she be admitted as a citizen of the Cherokee Nation in the Indian Territory.

Lizzie Mullick
by E. B. Howell
her attorney

STATE OF North Carolina, County of Cherokee

I, on oath, swear that the facts set forth in the above and foregoing petition are true to the best of my knowledge and belief, so help me God.

her
Lizzie X Mullick
mark

Sworn to and subscribed before me this 8th day of Sept 1896, and I hereby certify that petitioner is known to me as the identical person represented in the petition and is a person of good character and worthy of credit.

Justice of the Peace for Cherokee
County North Carolina

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End

Nation's No. 9956

Commission's No.

In re Application of

Mary Hardick

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Mary Mallick

Nation's No. 3756

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that the Ancestor through whom the petitioner claims to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hastings & Bandinal Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 20 day of Oct 1896.

NOTARY PUBLIC

No 4627

Ex parte
Mary Warlick

Application for Citizenship
in Cherokee nation

Filed Sept 7th 1896
N. J. McClamrock
Comr

Edmund K. Morrell
Murphy N C

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 76 Rec'd Sept 3 1896

of E B Norvell

one letter

addressed to Principal Chief Cherokee Nation

Tah Lequah I T

M L Mauney P.M.

MURPHY N.C. SEP 3 1896

State of North
Cherokee County

I John W. Wolfe Esq do solemnly swear that on the 3rd day of September 896 I saw E. B. Norvell register a package at the post office in Murphy Cherokee County North Carolina addressed to the principal Cornor or Chief of the Cherokee Nation at Tahlequah Indian Territory and that registry receipt hereto attached Numbered 7 is a receipt for same.
I saw M. L. Manny sign said receipt and know that M. L. Manny is the post master at Murphy Cherokee County North Carolina.
I further swear that said package contained a true copy of the application of Mary Walker together with true copies of the affidavits of D. Ed Reece & & E R Hunnicutt in support of same I am not related by blood or marriage to Mary Walker the applicant and have no interest near or remote in her application

John W. Wolfe

Subscribed & Sworn to before me this sept 3rd 896
and I certify that affiant is of good Character and worthy of Credit and belief

Clerk Superior Court for Cherokee
County North Carolina

N. C. North Carolina
Cherokee County

[illegible] being duly sworn
says that he knows Mary Warlick who is making application
to become a citizen of the Cherokee Nation. that the said
Mary Warlick is a daughter of Lizzie Warlick and H. Warlick
and the said Lizzie Warlick is a daughter of Rena
Warlick who is a daughter of Peggy Henson and
Richard Henson Affiant says that he knows Lizzie
Warlick and Rena Warlick and then Peggy Henson
and Richard Henson that they are all of Cherokee
Indian blood the said Lizzie being ½ Cherokee Indian
the said Rena being one half Cherokee Indian and the
said Peggy Henson being a full blood Cherokee Indian
as affiant is informed and believes Affiant says that
the said Rena Warlick and Peggy Henson were
Enrolled as Cherokee Indians on the Census Rolls of
1830. 1848. 1851. 1852 & 1869 of the Cherokee Indians
and as Affiant is informed and believes the said
Rena Warlick and Peggy Henson drew money
from the United States Government as Cherokee
Indians as late as 1869 Affiant says that Peggy
Henson spoke the Cherokee Indian tongue or
language that the said Rena Warlick and Peggy
Henson and their descendants have always been
recognized as Cherokee Indians by blood.
Affiant is not related by blood or marriage to
Mary Warlick the applicant and is not interested in
her application this affidavit is made freely
without reward or the hope of reward Affiants age
is [illegible] years his Post Office is [illegible]

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County North Carolina Affiant further says that the said Rena Warlick & Peggy Henson and their descendants have always been recognized and treated by their neighbors and acquaintances and the public generally as Cherokee Indians by blood and Affiant says that from the foregoing circumstances and the appearances of the Rena Warlick and Peggy Henson & their descendants & conversations with the said Rena Warlick & Peggy Henson he verily believes and has every reason to believe that they and their descendants are of Cherokee Indian blood. Affiant says that Richard Henson did not enroll as an Indian

Subscribed & sworn to before me this 2nd day of September 1924 and I further certify that the Affiant is well known to me and that he is of good character and entitled to [illegible] and credit

Justice of Peace for Cherokee
County North Carolina

North Carolina.
Jackson County.

C. R. Hemphill being duly sworn says that R. Vinson Mary Warlick who is making application to become a citizen of the Cherokee nation. That the said Mary Warlick is a daughter of Liggie Warlick and R. Warlick, and the said Liggie Warlick is a daughter of Rena Warlick who is a daughter of Peggy Vinson and [illegible]. Affiant says that he knows Liggie Warlick and Rena Warlick and Vinson Peggy Vinson [illegible] that they are all of Cherokee Indian blood, the said Liggie being 7/8 Cherokee Indian; the said Rena being one half Cherokee Indian and the said Peggy Vinson being a full blood Cherokee Indian, as affiant is informed and believes. Affiant says that the said Rena Warlick and Peggy Vinson were enrolled as Cherokee Indians on the Census Rolls of 1835, 1848, 1851, 1852. of the Cherokee Indians, and as affiant is informed and believes the said Rena Warlick and Peggy Vinson drew money from the United States Government as Cherokee Indians as late as 1869. Affiant says that Peggy Vinson spoke the Cherokee Indian tongue as a [illegible] That the said Rena Warlick and Peggy Vinson and their descendants have always been recognized as Cherokee Indians by blood. Affiant is not related by blood or marriage to Mary Warlick the applicant and is not interested in her application. This affidavit is made freely without reward or the hope of reward.

Affiant [illegible]

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DOCUMENT GLUED

Affiant further says that the said Rena Worlick & Peggy Henson and their descendants have always been recognized and treated by their neighbors and acquaintances and the public generally as Cherokee Indians in blood and Affiant says that from foregoing circumstances and the appearances of the Rena Worlick and Peggy Henson and their descendants and conversations with the said Rena Worlick and Peggy Henson he verily believes and has every reason to believe that they and their descendants are of Cherokee Indian blood

E. K. Hancock

Subscribed and sworn to before me the 2nd day of September 1910 and I further certify that the Affiant is well known to me and that he is of good character and entitled to faith and credit

Justice of Peace for Cherokee
County North Carolina

State of North Carolina
Chesterfield County

I, E. J. Watts clerk of the Superior Court for Chesterfield County, do hereby certify that [illegible] whose name is signed to the foregoing instrument attached to the application and the affidavit of [illegible] is now and was at the time of signing same a duly qualified and acting justice of the peace for Chesterfield County North Carolina at the time of signing same and that all of his official acts as such are entitled to full faith and credit. I am acquainted with the handwriting of [illegible] believe his signature to said papers to be genuine. Witness my hand and official seal at my office in Monticello this [illegible] day of September 1896

Clerk of the Superior Court
Chesterfield County North Carolina

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

UNITED STATES,
Indian Territory.

Application for Citizenship.

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4th, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned Mary Warlick makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this application, to-wit:

That she is the daughter of Lizzie Warlick & N. Warlick ~~dec'd~~ the said Lizzie Warlick is a daughter of Rena Warlick who is a daughter of Richard Hutson dec'd and ~~Rena~~ Hutson his wife who your petitioner proudly boasts ~~was~~ were Cherokee Indians by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived ~~no~~ her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokee Indians, made by the Cherokee Indian in 1835, 1848, 1851, 1852.

Applicant says that she has never abandoned her right as a Cherokee Indian and is now and always has been ready and willing to become a Citizen of the Cherokee Nation

Your petitioner is 27 years of age, his postoffice address is Murphy, Cherokee Co. NC and ~~his~~ family by virtue of Cherokee Indian blood is as follows: only herself she having never married.

NAMES	AGE	RELATIONSHIP

Wherefore your petitioner prays, that her Name may be enrolled and she be admitted as a Citizen of the Cherokee Nation in the Indian Territory

Mary Warlick
by Benjamin R. Bonnell
her attorney

STATE OF North Carolina, County of

Subscribed and sworn to before me this day of

petitioner is known to me as the identical person who executed the foregoing application and is a person of good character and worthy of credit.

POOR ORIGINAL
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DOCUMENT GLUED

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Attorney for Chas. [illegible] Cherokee Nation, comes now and demurs the said application, and for grounds of demurrer states:

1st. That the Cherokee Nation is not interested in the matters and things set forth in said application, and no legal rights thereby [illegible] and determined thereby.

2nd. That the [illegible] to show that the applicant [illegible] entitled to citizenship.

Respondent, not waiving [illegible] demurrer, and insisting upon the same, answers to said application, says that

through whom the petitioner claims [illegible] right to citizenship in the Cherokee Nation is now, nor has at any time since the [illegible] Cherokee Nation, since the [illegible] Nation, resided in the limits of the Cherokee Nation, and that he does not [illegible] with the Cherokee Nation, and that he [illegible] has not resided, nor [illegible] reside in the Cherokee Nation and Indian Territory, as required by the [illegible].

Having fully answered, your respondent asks to be hence dismissed.

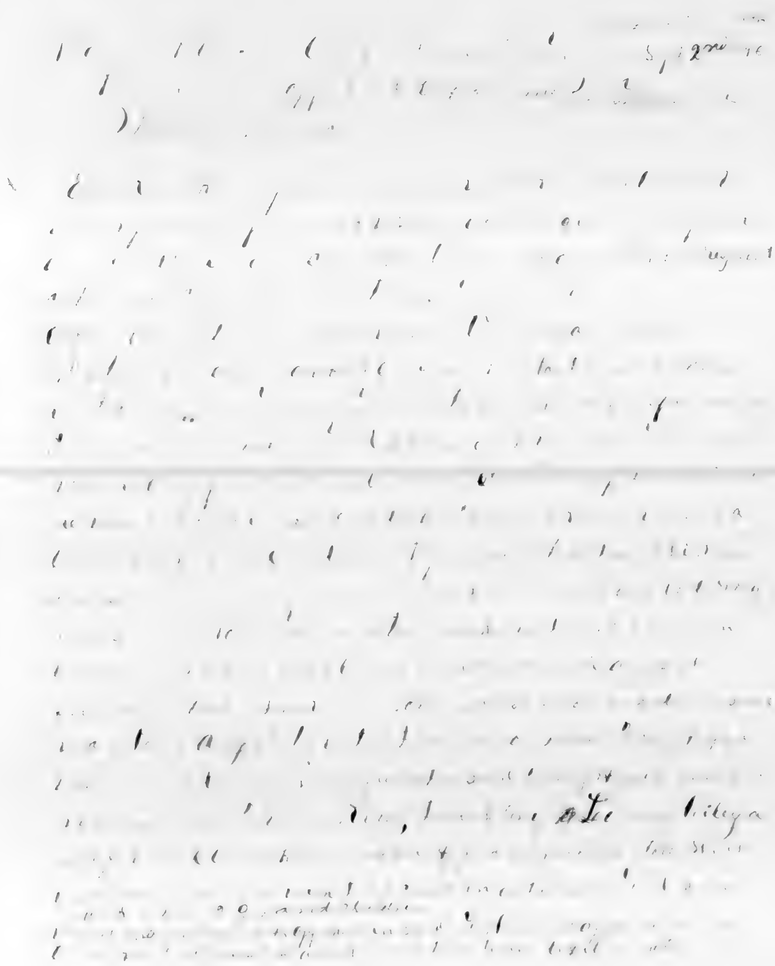
S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC



No 1644

T. M. Taylor
v
Benjamin Watson

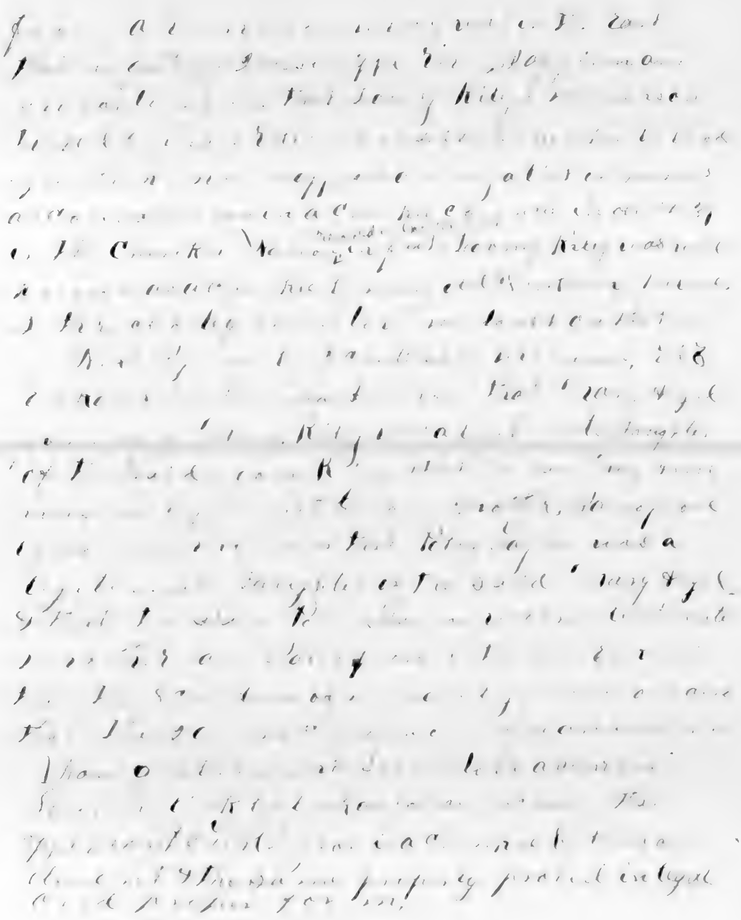
Filed Sept. 5-86
H. M. Jamison
Clerk.

No. 1877

T. M. Taylor
v
Columbia Nation

T. Ad Sept. 5-96
H. M. January
Secy.

Shelbyville, Tenn

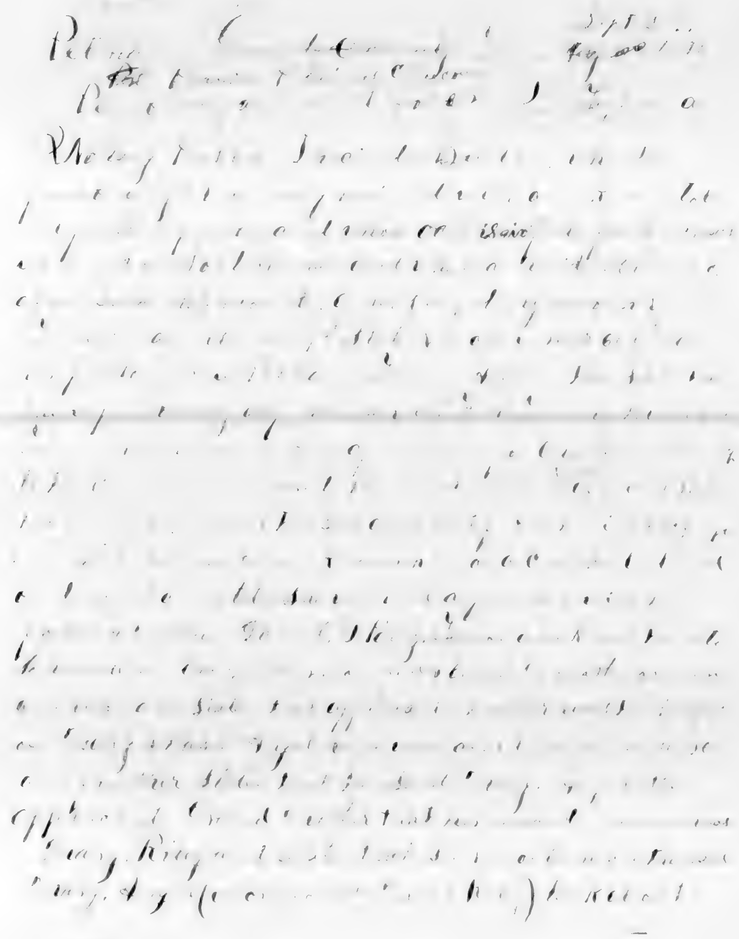


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[illegible]

Sworn to and subscribed before me
this 2 day of [illegible]

P. L. Dayton
Notary Public



Via U.S. Marshal
Affidavit

United States of America Western District of Arkansas ss.

Watt X Christie
Mark

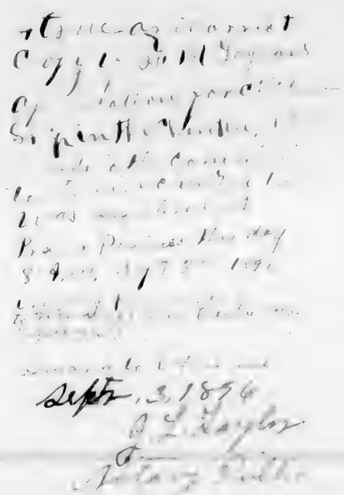
The next above subscribed by Mark and Brown to before me at Fahnquah D.T. this fifth day of June A.D. 1875.

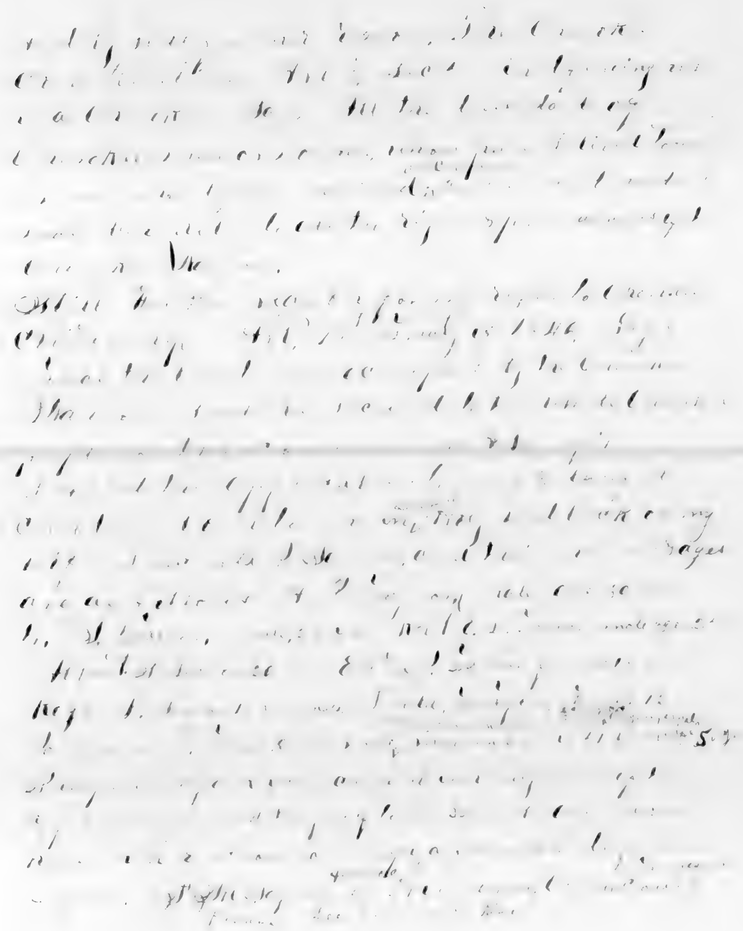
U.S. Commissioner

United States of America
Western District of Arkansas, ss.

I, William H. Rasmus, a Commissioner of the United States District Court within and for the District aforesaid, do hereby certify that the within and foregoing is a true and literal copy of the original affidavit as presented to me at Gallegher and Reed — this fifth day of June A.D. 1883.

William H. Rasmus,
United States Commissioner





V

[illegible]

a Notary Public

[illegible]

[illegible]

[illegible]

End

Nation's No. 2397

Commission's No.

In re Application of

Mc B Ry Co

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Jno B Ralston et al Nation's No. 2397

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving the aforesaid demurrer, but insisting upon the same for answer to said application, says that Jno Ralston through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Mosby, Pardue & Pardue Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 24 day of Dec 1896.

NOTARY PUBLIC

Harrison Ark Aug 28th 1896

Messrs Dawes Commission

I. T.

Pleas Subpeona D. H. Reese
before the Commison. To prove
the Affidavit of Henry Watkins
to be correct and Oblige

Yours &c John B. Rowlett

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, , undersigned, respectfully states that he is a Indian by blood, and asks to be enrolled as a member of the Nation of Indians in the Indian Territory. That he derives his said Indian blood from , who was a

Your petitioner further states that he has made application for citizenship in the Nation, and that his application is now pending before your Honorable Commission for investigation. That he is entitled to be enrolled as a citizen of the Nation of Indians in the Indian Territory, upon the rolls of said Nation of Indians, in accordance with the provisions of the Act of Congress of June 28, 1898, and the Act of April 26, 1906.

My name is ; my Post Office address is ; my family consists of myself and persons. My children are as follows:

, aged	years
, aged	years
, aged	years
, aged	years
, aged	years
, aged	years
, aged	years
, aged	years
, aged	years
, aged	years

WITNESS my hand this day of , 1906.

Personally appeared before me the undersigned authority , to me known to be the petitioner in the above petition who being by me first duly sworn upon oath says that he is the petitioner in the above petition that he has read the same and knows the contents of the said petition, and that the facts stated therein are true as he verily believes.

Subscribed and sworn to before me at this day of , 1906.

State of Arkansas
County of Pope } ss

Henry Watkins being
duly sworn on his oath says that
he is 70 years of age and is well known
to many of the citizens of Pope County
personally acquainted with John B
Rowlston & knew him for a
number of years & was personally
acquainted with his father Mathew
Rowlston & his grand father James
Rowlston.

I verily believe the said John B Rowlston
is a descendant of the said James Rowlston
the general understanding in the
neighborhood where he is known and
I believe that he is the same person
I verily believe the said John B Rowlston
is the great grandson of the said James
Rowlston

Deponent further states that
the said John B Rowlston derives his Cherokee
Indian blood from his mother as
above stated

Deponent further says he is
not directly nor indirectly interested in the
prosecution of said claim directly or
indirectly

No 1496

Jno B. Rowlston

v

Cherokee Nation

Filed 7 Sept 1896

Trial Docket

A K

Rejected

M. Brewster

Norman

W K

State of Arkansas
County of Boone.

[illegible] being duly sworn deposes and says that the copy of an affidavit hereto attached is a true copy of the original affidavit made by Henry Watkins on the 8th day of September 1890 in the matter of the application of [illegible] Rowlett to the Cherokee Council for admission and recognition as a citizen of the Cherokee Nation and which original affidavit was filed with the papers in the case of said [illegible] and is now or should be on the archives of said Cherokee Nation.

W. K. Rowlett

Subscribed and sworn to before me this 27 day of August 1896.

[illegible]

[illegible]

End

Patent's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for cause says the same

1st. That this Commission [illegible] the power or right to hear and determine the matter of this controversy, and no legal right thereto is set forth in said application.

2nd. That the said application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent further answering said application, says that

through whom the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been [illegible] Cherokee Nation, since the removal of said Nation to the West. Lilian Forrest was at [illegible] admitted that his name does not appear on [illegible] of Cherokees of said Nation, but [illegible] his ancestors now [illegible] Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

BY [illegible] Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Cattaraugus N.Y.

Registered Letter / Parcel No. 47 . Rec'd Sept 8 , 1886,

of Francis M. Willis

addressed to Edward Ward

Tuscarora, N.Y.

F. W. Watts , P. M.

State of Choctaw Nation Indian Territory

Personaly appeared before me
me Adolphus E Williams whom I
know to be reliable and he
being qualified says My name
is Adolphus E Williams am 74 years
old. have been a minister of the
Gospel for 53 years. was born in
the state of North Carlina in the
year 1822. and have known
John Willis and his Son Adrew
Willis and also Andrews Son
Dillen Willis and have always
understood that the were indians
their features and construction
both resemble that of the indian
and I believe they belong to the
Cherokee tribe of Indians and
should be intitled to the rights
and privaliges of the Cherokee
Indians. I am not related or otherwise
interested in this claim

A E Williams



[illegible] Patricia Division
District Nathan Bond Esq } SS
On the 6th October A.D. 1856 Came before me a Justice of the Peace for said County Willis Donnelly Esq Sheriff of said County and Personally appeared Nathan Bond Esq Division Deputy Sheriff and Mr Nabal Walters above Age to me known and Isaac Walters whose Age is 52 years to me well known and after being duly sworn Deposeth and Says that they personally acquainted with Andrew Willis sen. deceased late of said County and Knew Andrew Willis sen. deceased for many years last Past and Knew Peter Willis who he said was his Father they further State that they became acquainted with Andrew Willis in 1856 as Deponents further State that Andrew Willis Esqr Leaves three Acquaintances with Him and Family that they Claimed to be Children & Heirs by blood of said Andrew Willis that Willis A. Willis Hannah L. Walters Nancy Willis Sarah A. Willis now Porter Andrew J. Willis Louisa J. Willis Honey Ellis C. Willis now Sherrer is all Sons and Daughters of Andrew Willis and as we Under Stand Stand Sons and Daughters of Peter Willis Dec'd Peter Willis Wood Thomas Willis Dec'd [illegible] Wood Ellen Wood Mary Ann Wood Nancy Wood Mary Wood Sarah Wood Elizabeth Wood Jane Wood

POOR ORIGINAL -
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Subscribed and Sworn to before
me this 2nd day of August 1879

H. H. Watts

My Com. Expires Notary Public

Northern Judicial Division
Chickasaw Nation I.T.

In the Matter of the Citizenship Claim of Thos
H. Love son of John Willis deceased
Claim pending in the Master Dockets
in and for the Northern Judicial
Division and before Harrell W. Willis
a Notary who after being duly sworn
states that she is acquainted with the
said applicant & states that she
is a daughter of Andrew Willis
and a granddaughter of John Willis
who was Chickasaw Indians by blood
and is well acquainted with this & states
that Selina H. Willis, Mary A. Willis
(states) Andrew J. Willis, Sarah J. Willis
(sisters) Ellis C. Willis (Sharin) and
Francis M. Willis is all sons, brothers
and sisters of the said and daughters
of Andrew Willis and grand sons
and daughters of John Willis
the Applicant all of whom is Chickasaw Blood
Chickasaw Nation Harrell W. Willis
State of
Subscribed and sworn to before me this the 2nd day of
August 1898
My Com. Expires June 20-1900

FOR OFFICIAL
BEST AVAILABLE COPY

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by recent Congress of June 7, 1897, to hear and determine Claims to Citizenship in the Cherokee Nation*

I, [illegible] Dan T. Z. Wells in behalf
for and on behalf of [illegible] Sam
and heirs, this day invoke this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee Blood, and I do certify and submit the [illegible] of Wells to of
Dan'l Pat Emma White Delphia Wilson
Robert Walker Isaac Walker Harriet Wells (Walker)
Sarah T. W. and Francis M. Wells

to which said claim, and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted

Dan'l P. Wells by Walker

I further certify that the following, with the number attached, is a correct list of [illegible] family, and the names of persons [illegible] application:

NAMES	AGE	RELATIONSHIP
Patrick Walker	54	Husband of Sarah Walker
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

Witness: [illegible]

In witness of which I the [illegible] have hereunto set my hand and official seal this [illegible] day of [illegible] 1898.

My Com. Expires
[illegible]

[illegible]
Notary Public

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 7, 1897, to hear and determine Claims for Citizenship in the Cherokee Nation.*

[illegible] for and on behalf of [illegible]

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee Blood, and I herewith submit the [illegible]

[illegible]

and respectfully await the time when [illegible] application shall be heard and filed.

Respectfully submitted

[illegible]

I [illegible] with citizenship attached as follows

NAMES	AGE.	RELATIONSHIP
[illegible]	[illegible]	[illegible]

[illegible]

In witness of which I hereunto set my hand on this [illegible] day of [illegible] 1896.

[illegible]

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.*

GENTLEMEN: The undersigned [illegible] petitioner[s] [illegible] for and on behalf of [illegible]

and [illegible] this day make[s] this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and [illegible] submit the following affidavits of [illegible] Thomas White, Adolphus Williams, W. B. Walker, Isaac Walker, Harriet L. Walker, [illegible] Willis, Sarah Smith and Francis M. Willis

in support of said claim, and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted.

[illegible]

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
[illegible] Applicant	41	Great Granddaughter of John Willis
[illegible]	8	Great Great Granddaughter of John Willis
[illegible]	6	[illegible]
[illegible]	3	[illegible]
[illegible]	1	[illegible]

Subscribed and sworn to before me

In witness of which I hereunto set my hand on this [illegible] day of [illegible] 1896.

[illegible]

My Commission Expires

June 20 — 1900

[illegible]

Notary Public

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners* [illegible] *by an act of Congress of June 7, 1897, to hear and determine Claims for Citizenship in the Cherokee Nation.*

[illegible] Mrs. J. [illegible] Mc Willis
[illegible]

and hers, this day make this their application for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Father Mary Thomas Willis
Wilkins Williams Robert Walker Bruce Walker
[illegible] Willis

[illegible] applications and respectfully await the time when [illegible] application shall be heard and tried.

Witness J. W. McHenry Respectfully submitted
[illegible] Mary Willis, her
[illegible] [illegible] [illegible] attached, as follows [illegible]

NAMES		AGE	RELATIONSHIP
Mary, M. [illegible]	(Dead)	46	Married Daughter of Andrew Willis, dead
Richard	Dead	14	Grand Son of Andrew Willis, dead
Celia	Dead	12	Granddaughter
Russell	Dead	10	Grandson
Catherine	Dead	10	Granddaughter
[illegible]	[illegible]	6	[illegible]
[illegible]	Dead	4	[illegible]
Amanda	Dead	3	Granddaughter

Sworn to before me
In witness of which I hereunto set my hand on this [illegible] day of [illegible] 1896.
Mary Sam Cephus Witness Richard Mary Willis his
Jan 1897 Grand Jurdiction Dist Ind. T.

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners* authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

I, [illegible] Willis, of [illegible] River
[illegible] Indian Territory, [illegible]
and hereby make application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the [illegible] Thomas Willis
[illegible] Francis M. Willis

as proper subjects for such claim, and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted

[illegible]

I, [illegible] Willis, make oath that the statements as to [illegible]

NAMES	AGE	RELATIONSHIP
Hannah J. Willis [illegible]	42	Daughter of Nathan Willis, Grand Family
Sarah [illegible]	19	Granddaughter [illegible]
[illegible]	18	[illegible]
[illegible]	15	[illegible]
[illegible]	13	[illegible]
[illegible]	8	[illegible]
[illegible]	7	[illegible]

Subscribed and sworn to before me this 25 day of Aug 1896.

My Com Expires Jan 1898

[illegible] Witness
[illegible] Notary Public
2nd Dist Indian Dept

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.*

G[illegible] [illegible] [illegible] [

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1890, to hear and determine Claims for Citizenship in the Cherokee Nation.*

GENTLEMEN: The undersigned, [illegible] C. [illegible] Sherrill
for and on behalf of [illegible]
and [illegible] files this application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of lands and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the [illegible] Robert Russell Thomas [illegible]
Ralph [illegible] Williams Robert Walker Isaac Hobbs
[illegible] [illegible]

as proof of said claim, and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted

[illegible] C. [illegible]
G. W. [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] C. Willis Sherrill

NAMES	AGE	RELATIONSHIP
Ellis C. Willis Sherrill	[illegible]	Daughter of Robert Russell Thomas & Granddaughter of Isaac Hobbs & Great Granddaughter of [illegible]
[illegible]	[illegible]	[illegible]

In witness of which I hereunto set my hand on this 25 day of May 1896.

[illegible] C. Sherrill — E. A. Pinkard Notary Public (Seal)

[illegible] 1898 — 2000 Indiana Post Office

1125

No 1481

PETITION OF

Frances M Williams

for and on behalf of

Cherokee Nation,

and Heirs

Filed 7 Sept 1896,

R. M. Jacoway

Clk

Repeated

Gallowood

Dudley

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, [illegible] Francis M Willis for and on behalf of Tina Self and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the [illegible]

and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted

[illegible]

NAMES	AGE	RELATIONSHIP
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

In witness of which I hereunto set my hand on this [illegible] day of [illegible] 1896.

[illegible]

End

#25

NOTICE.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

In the United States Court for said District.

In the matter of the application of J. G. Breeding et als to be enrolled as citizens of the Cherokee Nation

TO THE Commissioner to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

J. G. Breeding et als

to be enrolled as citizens of the Cherokee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal, the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 11th day of Dec. 1896.

A. D. 189

Clerk

End

Station's No. 40

Demurrer and Answer.

File S[illegible]
A. S. [illegible]SON
COX R[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible] • Nation's No. [illegible] •

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for grounds therefor says

1st. That this Commission has no jurisdiction over the subject matter of this controversy, and no legal right [illegible] the Cherokee Nation.

2nd. That [illegible] the applicant; [illegible]

Respondent [illegible] to said application says that

[illegible] right [illegible] Nation, since [illegible] Nation, [illegible] that his name [illegible] Nation [illegible] any of his ancestors now [illegible] Cherokee Nation [illegible]

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being first duly sworn states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC

No 1718

Ex parte

James M. Payne

application for
Citizenship in the U.S.
Nation

Filed Sept. 7, 1876.

H. M. Jacoway
Clerk

Reported

Wednesday, 12 ...

EDMUND B. NORVELL,
ATTORNEY AT LAW

Murphy, N. C., Sept 2 1896

To the Hon
Henry L. Dawes Chairman
U.S. Commissioners
Vinita Ind Terr:

Dear Sir:

Enclosed find my application for Citizenship, in Cherokee nation together with affidavit of Jesse Green in support of same. I attach affidavit of John W. Worley who said copies applications to Chief Cherokee nation - Please acknowledge receipt of same.

Yours Truly

APPLICATION FOR CITIZENSHIP.

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CRAVENS and ALEXANDER B. ~~ARMSTRONG~~ Jno. J. Morrow, United States Commissioners appointed by act of Congress of June 1, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned James M Payne makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of [illegible] claim, to wit:

That he is the Son of Thomas Payne who is the Son of Mary Payne and she was the daughter of one Catherine Harper and the Grand daughter of one Alexander Hassanuske Smith who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and to whom petitioner derives his Indian blood entitling him to citizenship in the Cherokee Nation.

That the name of [illegible] appears on the [illegible] Roll of Cherokees East of the Mississippi, 1835.

[illegible] Daniel and [illegible] were both Citizens of the Indian Territory Cherokee Nation and died there in 1884 See Riddle, Doll

Your petitioner is 20 years of age, his post office address is Braggs IN T. and his family by virtue of Cherokee Indian blood is as follows:

NAMES		AGE	RELATIONSHIP
#1021 Mary	Doll 1844		Grand Dau of #1021
James M Payne		20	Head of Family
Emma Payne		19	Wife — White

Your petitioner herewith submits the proofs of this application and respectfully awaits its determination.

James M Payne

STATE OF No Carolina, COUNTY OF Cherokee

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

James M Payne

Sworn to and subscribed before me this August 24th 1896, and I hereby certify that petitioner is known to me as the identical person represented in petition and is a person of good character and worthy of credit.

D. L. Watts Clk. Sup Court
By D.W. Downum Dep Clerk.

AFFIDAVIT OF WITNESS.

STATE OF [illegible] }
COUNTY OF [illegible] }

BEFORE ME, the undersigned, ~~Notary Public~~ Justice of the Peace in and for the county and state aforesaid personally appeared Jesse Green who after being by me duly sworn states that he is 78 years of age, and a citizen of Cherokee County and State of North Carolina and that he is personally acquainted with James M. Payne

Who says resides at Tahlequah in the Cherokee Nation, I. T., and affiant further states that he is the James M. Payne the identical person he represents himself to be in his application for citizenship in said Nation and that the said James M. Payne is a son of Thomas J. Payne and a grand son of Mary Payne who is the daughter Thomas and Catherine Raper who I know always have been recognized as Cherokee Indians and have trained among the white Government as Cherokee Indians

Affiant further states that he has known the said James M. Payne for the past 60 years and knows that he is and has been recognized and treated by his relatives and associates and the whole community as a native born Cherokee Indian blood and that the general physical appearance of the said James M. Payne indicate that the said James M. Payne is of Indian blood That from the above facts and circumstances and from statements made to me by the said Affiant states he is firmly caused to believe and does believe that the said James M. Payne is of Cherokee Indian blood.

Affiant further states that he has no interest in the result or issue of the claim of the said James M. Payne to citizenship in the Cherokee Nation, I. T.

Jesse Green
mark

Subscribed and sworn to before me this 2 day of Dec. A.D. 1896
and I further certify that am well acquainted with the said Jesse Green
and know him to be a person of credibility and of truth and veracity
and know him to be [illegible]

[illegible]
~~Notary Public~~.

My Commission Expires the [illegible] day of 189

~~Jos. M. Bowers~~, Attorney at Law.

J. M. CAIN, ARTIST PRINTER FT. SMITH.

State of North Carolina

I N. G. Hall Clerk of the Superior Court in and for the County of Cherokee and State of North Carolina do hereby Certify that Wm G Graham is now acting [illegible] for said County and State as was said and that all his Official acts as such are entitled to full faith and Credit Witness my hand and Official seal at office in Murphy on this the 26 day of [illegible] A. D. 1[illegible]

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 71 Rec'd Sept 2 1896

of James M Wayne

Cave Creek

addressed to Municipal Bldg of Chicago Illinois

Chicago Ill.

A Mecaskey P. M.

POOR ORIGINAL
BEST AVAILABLE COPY
DOCUMENT GLUED

No
N. Ca

I [illegible] do solemnly swear that on the 2nd day of September 1896, I saw Jas M Pagan register a package at the post office in Murphy, Cherokee County, North Carolina addressed to the Principal Governor & Chief of the Cherokee nation at Tahlequah Indian Territory: that Registry receipt No [illegible] attached & signed by M. L. Manney, postmaster of Murphy was signed by Mrs Manney Post Master in my presence. I further swear that I know M. L. Manney to be the post master at Murphy, Cherokee County, North Carolina. I further swear that said package contained copy of the application of James M Pagan for Citizenship in the Cherokee nation together with a copy of the affidavit of Jesse Green in support of same. I am not related by blood or marriage to James M Pagan and have no interest near or remote in his application.

Subscribed & sworn before me this September 2nd 1896. & I certify that affiant is of good character & worthy of belief

[illegible]
Clerk Superior Court for Cherokee
N. C.

POOR ORIGINAL
BEST AVAILABLE COPY
DOCUMENT GLUED

End

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that through whom the petitioner claim, to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of , 1896.

NOTARY PUBLIC.

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[redacted]

Nation's No. [redacted]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant [redacted] entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [redacted]

through whom the petitioner [redacted] claim to derive [redacted] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [redacted] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the [redacted] day of [redacted] 1896.

[redacted]

NOTARY PUBLIC

EDMUND B. NORVELL.
ATTORNEY AT LAW

Muskogee, N. T., Sept 2nd 1896.

To Hon. Henry L. Dawes. Chairman
Ind Commissioners
~~Indianola~~ Vinita Ind Terri.

Dear Sir:

Enclosed find my application for Citizenship in Choctaw Nation together with affidavit of Jesse Green in support of claim. Please acknowledge receipt of same.

Yours Truly
William E Payne.

No [redacted]

Ex parte

William E. Payne

application for

Citizenship

Filed Sept 7, 1886

H. M. Jamison

Secretary

Memphis, Tenn

APPLICATION FOR CITIZENSHIP.

To DAVID HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CHANNISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by act of Congress of June 1, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned William E Payne makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to wit:

That he is the Son of Thomas Payne who is the son of Mary Payne and she was the daughter of Catherine Kaffer, who was the daughter of Alexander McDaniel and his wife who your petitioner firmly believes were Cherokee Indians by blood and duly acknowledged members of the Cherokee tribe of Indians and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors were enrolled or appear on the census roll of the Cherokees East of the Mississippi river:

Alexander McDaniel and his wife were both citizens of the Indian Territory Cherokee Nation and there in 1884
See Mullay Roll 1845

Your petitioner is 24 years of age, his post office address is Country 0856 and his family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE.	RELATIONSHIP.
#1021 Mullay Roll 848		Grand Roll #021
William E Payne	24	Father & head of family
Josie E Payne	20	Wife — Intitled
Foley Payne	1/2	Son

Your petitioner herewith submits the proofs of this application and respectfully awaits its determination.

William E Payne

STATE OF So Carolina, COUNTY OF Cherokee

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

William E Payne

Sworn to and subscribed before me this August 25, 1896, and I hereby certify that petitioner is known to me as the identical person represented in petition and is a person of good character and worthy of credit.

D. D. Watts Clerk Supt Court
By D. W. Downes Dep. Clerk

AFFIDAVIT OF WITNESS.

STATE OF
COUNTY OF

BEFORE ME the undersigned, a Notary Public, duly ~~for the county and~~ state aforesaid
personally appeared who after being by me
duly sworn states that ~~he~~ is ~~of~~ years of age, and a citizen of
County, and State ; and that is personally acquainted with
Who is an applicant for Recognition to the Nation, I. T., and affiant further states
that the said is the identical person represents
himself to be in application for Recognition to said Nation and that the said

Affiant further states that he was known the said
in the year and knows that he has been recognized and treated by
the Indians, acquaintances and friends, generally as a person having Indian blood
and that the ancestors and relatives of the said
reside ~~That the said~~ in Choctaw District. That from the above facts and
circumstances and from statements made to me by the said
Affiant states he has every reason to believe and does believe that the said
is a person of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim
of the said for citizenship in the Nation, I. T.

Subscribed and sworn to before me this day of A. D. 1894
and I further certify that am well acquainted with the said
and know him to be a person of credibility and of truth and veracity.

James E. Peckham N. P.

~~My Commission Expires~~ Notary Public.

~~Joseph P. Byers, Attorney at Law.~~

J. M. CAIN ARTIST PRINTER FT. SMITH.

State of North Carolina
County of [illegible]

I [illegible] Clerk Superior Court in and for the County of Chatham and State of North Carolina do hereby certify that James C. Graham was on the [illegible] day of this present month duly appointed and qualified a notary public for the County and State aforesaid and that all his official acts as such notary public are entitled to full faith and credit [illegible] and I have hereunto set my hand and seal of office at Pittsboro, N.C. this 20 day of [illegible] 1916.

[illegible]
Clerk Superior Court.

REGISTRY RECEIPT.

Post Office at Muskogee I T

Registered Letter / Parcel No. 72 Rec'd Sept 12 1896

of Dr. E. Keys

and letter

addressed to Hon. Principal Chief Cherokee Nation

Tahlequah I T

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 72 Rec'd Sept 12 1896

of [illegible] E. Wynne

addressed to Principal Chief Cherokee Nation

Tahlequah I. T.

[illegible] P. M.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

North Carolina
Cherokee County

I John W. Wakely do solemnly swear that on the 2nd day of September 1896, I saw William E. Payne register a package in the post office at Murphy, Cherokee County, North Carolina, addressed to the Principal Governor or Chief of the Cherokee Nation, at Tahlequah, Indian Territory, and that Registry receipt No. hereto attached signed by M. L. Mauney, post master for Murphy, Cherokee Co. North Carolina, is a receipt for same. I further swear that I saw M. L. Mauney sign same, and know that he is post master for Murphy, Cherokee County, North Carolina. I further swear that said package contained a Copy of application of William E. Payne for Citizenship in the Cherokee Nation and a Copy of the affidavit of Jesse Green in support of same. I am not related by blood or marriage to William E. Payne and have no interest in his application

Subscribed & sworn to before me this 2nd September 1896. and I certify that affiant is of good Character and worthy of Credit & belief

Clerk Superior Court for
Cherokee County North Carolina

POOR ORIGINAL
BEST AVAILABLE COPY
DOCUMENT GLUED

End

Nation's No. 3107

Commission's No.

In re Application of

James M. Mott

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of [illegible]

James M
Melissa Mabi Hal-

Nation's No. 3109-

Commission's No.

for enrollment in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy, and no legal right, [illegible] to entitle [illegible] to maintain the same.

2nd. That [illegible] to show that the applicant [illegible]

Respectfully answering further, your respondent [illegible] answer to said application says that [illegible] Benjamin Hasselis [illegible] through whom the petitioner [illegible] John to derive [illegible] right [illegible] to enrollment in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as alleged in said application, and denied; that his name does not appear on any of the rolls of said Nation; that neither the petitioner [illegible] ancestors now [illegible] ever resided in the Cherokee Nation, and Indian Territory, as averred.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hutchings & Bennett Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]
NOTARY PUBLIC

No. 1747

Jas M. Wesler
v
Cherokee Nation

Filed 7 Sept 1896
W M Jacoway
Clk

Referred

Horace
Clk

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of [illegible] **Nation, Ind Ter**

Gentlemen: The undersigned, your petitioner, this day makes this [illegible]

Application for Citizenship in the [illegible] Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and respectfully makes the following statement of the grounds of this [illegible] Application to-wit:

That [illegible] *am the* [illegible]

ance of [illegible] *who the undersigned fully believes was an Indian belonging to said tribe.*

The undersigned [illegible] *states the exact facts in the case for which grounds for this Application for* [illegible] *Citizenship to exist, and respectfully waits the time when* [illegible] *Applicant* [illegible] *shall be duly heard and tried. Respectfully submitted.*

Address [illegible] *years. Post office* [illegible]

Family, with their relationship, attached as follows:

No.	NAME.	SEX.	RELATIONSHIP.
[illegible]			

In witness of which Application, I hereunto set my hand on this the [illegible] *day of* [illegible] *1894.*

[illegible]

Subscribed and sworn to before me this [illegible] *day of* [illegible] *1894.*

[illegible]

[illegible]

AFFIDAVIT OF WITNESS.

STATE OF ....)
) ss.
COUNTY OF ....)

BEFORE ME, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared .... who after being by me duly sworn states that ... is .... years of age, and a citizen of .... County and State of .... and that .... is personally acquainted with .... who is an applicant for citizenship in the .... Nation, I. T., and affiant further states that the said .... is the identical person .... represents .... application for citizenship in said Nation, and that the said ....

Affiant further states that .... has known the said .... for the past .... years and knows that .... is and has been recognized and treated by .... neighbors, acquaintances and the public generally, as a person having .... Indian blood; and that the complexion, physical appearance, language and manners of the said .... indicate that the said .... is of Indian blood. That from the above facts and circumstances and from statements made to .... by the said .... affiant states .... has every reason to believe, and does believe that the said .... is of .... Indian blood.

Affiant further states that .... has no interest whatever in the prosecution of the claim of the said .... to citizenship in the .... Nation, I. T., ~~and that is not related by blood or marriage to the said~~ ....

.... Henry Rowell

Subscribed and sworn to before me this .... day of .... A. D. 189..

and I further certify that I am well acquainted with the said .... and know .... to be a person of credibility and of truth and veracity.

.... Notary Public.

My commission expires on the .... day of February .... 189..

REGISTRY RECEIPT.

Post Office at Horace, Ga.

Registered {Letter / Parcel} No. 13 Rec'd Sept 9, 1896

of D. M. Foster

Horace Ga.

addressed to Cor. Cherokee Nation

Tahlequah Ind. Ter.

Hoyt D. Spence, P. M.

I W. A. Adams do solemnly swear
that on the 2d day of Sept. 1896
I sent a package registered at the
Postoffice at Kirtpace, Ia. addressed
to Treasurer of Cherokee Nation
Tahlequah Ind. Ter. That Rec'd rec'd
ipt No. hereto attached
it a receipt for said package
which contained true copies of the
application of Jas. M. Austin & Samuel
Hook of the affidavits of Jas Hood & Wilson
and in support of same

W. A. Adams

Subscribed and sworn to upon me this
this 2d day of Sept 96

[illegible]

For the Commission

AFFIDAVIT OF WITNESS.

STATE OF .....)
) ss.
COUNTY OF .....)

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared .....
who after being by me duly sworn states that ..... is ..... years of age, and a citizen of ..... County and State of .....
and that ..... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person ..... represents ..... self to be in ..... application for citizenship in said Nation, and that the said .....

Affiant further states that ..... has known the said ..... for the past ..... years and knows that ..... is and has been recognized and treated by ..... neighbors, acquaintances and the public generally, as a person having ..... Indian blood; and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to ..... by the said ..... affiant states ..... has every reason to believe, and does believe that the said ..... is of ..... Indian blood

Affiant further states that ..... has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that is not related by blood or marriage to the said .....

Subscribed and sworn to before me this ..... day of ..... A. D. 189...

and I further certify that I am well acquainted with the said .....
..... and know ..... to be a person of credibility and of truth and veracity.

..... Notary Public

My commission expires on the ..... day of ....., 189...

[illegible]

AFFIDAVIT OF WITNESS.

STATE OF .....)
) ss.
COUNTY OF .....)

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that ... is ..... years of age, and a citizen of ..... County and State of ..... and that ... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person ... represents ... self to be in ... application for citizenship in said Nation, and that the said ..... is .....

Affiant further states that ... has known the said ..... for the past ..... years and knows that ... is and has been recognized and treated by ..... neighbors, acquaintances and the public generally, as a person having ..... Indian blood; and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to ... by the said ..... affiant states ... has every reason to believe, and does believe that the said ..... is by ..... Indian blood.

Affiant further states that ... has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., ~~and that is not related by blood or marriage to the said~~ - -

.....

Subscribed and sworn to before me this ... day of ....., A. D. 189..

and I further certify that I am well acquainted with the said .....
.....and know ... to be a person of credibility and of truth and veracity.

.....
Notary Public

My commission expires on the ..... day of ..... 189..

AFFIDAVIT OF WITNESS.

STATE OF .....
COUNTY OF .....

BEFORE ME, the undersigned, a Notary Public in for the County and State aforesaid, personally appeared ..... who after being by me duly sworn, states that ... is ..... years of age, and a citizen of ..... County, and State of ..... and that ... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person ... represents ... to be, in ... application for citizenship in said Nation, and that the said .....

Affiant further states that ... has known the said ..... for the past ..... and has ... opportunity of knowing the facts herein stated, and that ... is not related by blood or marriage to the said .....

Subscribed and sworn to before me this ... day of ..... A. D. 1896.

and I further certify that I am well acquainted with the said ..... and know ... to be a person of credibility and of truth and veracity.

Notary Public.

My commission expires on the ..... day of ....., 189...

End

Nation's No. 12681

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to its present Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

Nation's No. 701

Commission's No.

In re Application of

Wm Jno &
Hen Jno

Demurrer and Answer.

7/1896

A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

William Iggard
Thomas Iggo

Nation's No. 701

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving said demurrer, but insisting upon the same for answer to said application, says that the Ancestor through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that their names do not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as so organized.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings & Hastings & Sandidge Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this the 6 day of April 1896.

NOTARY PUBLIC.

TITLE GUARANTY AND TRUST CO.,
CHATTANOOGA ABSTRACT CO.,

618 WALNUT ST. TELEPHONE 392.

TITLES GUARANTEED. ABSTRACTS PREPARED.
ALL KINDS OF CONVEYANCING DONE.
HAS FULL POWER TO ACT IN ANY TRUST CAPACITY.
TAXES PAID FOR NON-RESIDENT PROPERTY OWNERS.

H. C. BECK, PRESIDENT.
PROSPER LAZARD, VICE-PRESIDENT.
J. K. HODGES, SEC'Y AND TREAS.
L. M. COLEMAN, SOLICITOR.

H. C. BECK,
L. B. HEADRICK,
W. S. BECK, } ABSTRACTORS.

W. S. BECK, MGR. ABSTRACT DEPT.

CHATTANOOGA, TENN., [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

REGISTRY RECEIPT.

Post Office at Hill City Tenn

Registered Letter / Parcel No. 20 Rec'd Sept 7, 1896

of Thomas Igo & William Igo

addressed to Hon. S. H. Mayes

Chief of Cherokee Nation Tahlequah I.T.

S. Green, P. M.

Hill City

20

H. E. D. C. K.

Chattanooga P.O. closed in accordance
of Labor Day.

TITLE GUARANTY AND TRUST CO.,
CHA. ANOOGA ABSTRACT CO.,
618 WALNUT ST. TELEPHONE 392.
TITLES GUARANTEED. ABSTRACTS PREPARED.
ALL KINDS OF CONVEYANCING DONE.
HAS FULL POWER TO ACT IN ANY TRUST CAPACITY.
TAXES PAID FOR NON-RESIDENT PROPERTY OWNERS.

H. C. BECK, PRESIDENT
PROSPER LAZARD, VICE-PRESIDENT.
J. K. HODGES, SECY AND TREAS.
L. M. COLEMAN, SOLICITOR

H. C. BECK,
L. B. HEADRICK, } ABSTRACTORS.
W. S. BECK,

W. S. BECK, MGR ABSTRACT DEPT.

CHATTANOOGA, TENN., [illegible], 19[illegible].

Hon. Henry L. Dawes, & other

Indian Commissioners:

We herewith submit our application for enrollment and [illegible] rights. I have also forwarded to the Chief Indian Territory at Tahlequah, Indian Territory a copy of said application and proof there of.

Respectfully submitted.

his
William x Lee
mark
his
Thomas x Lee
mark

Attest:

APPLICATION FOR ENROLLMENT.

To the Commissioners, [illegible], L. Owens, Frank C. Armstrong, Archibald G. McDonnon, Thos. F. Dawkins and Alexander [illegible] Montgomery, United States Commissioners, appointed by an act of Congress of June [illegible], 1893, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:

Your petitioners, the undersigned Thomas Ivo and William Ivo, respectively, [illegible] and their children hereinafter named, [illegible] to make this their application to [illegible] to be enrolled as such Cherokee citizens, [illegible] and to that end [illegible] Cherokee Nation, [illegible] to their Cherokee blood, and in support of this application [illegible] the affidavits of [illegible] A. McDaniel, and [illegible] in support of said claim, and respectfully [illegible] your favorable action [illegible] Court.

Respectfully submitted,

Attest: H.C. Beck

Thomas Ivo
his mark

William Ivo
his mark

From Census Card, with relations as attached as follows:

Name	Age	Relationship
Florence Ivo	0	Children of William Ivo
Thomas Kinney Ivo	18	" "
Fred Benjamin Ivo	16	" "
William Ivo.	15	" "
Samuel Blain Ivo	12	" "
Martha Ivo	7	" "
Walden P. Ivo	6	" "
Greasy Ivo	3	" "
Shirley Ivo	4	" "

Mattie Lee 20 Children of Thomas Lee.

Amanda Lee 16 " "

In witness of which we parents set our hands on this 3rd

day of [illegible].

William Lee his mark

Post Office, Harrison, Tenn.

Thomas Lee his mark

Post-office, East Chattanooga, Tenn.

In relation of the application of William Ivo and Thomas Ivo for citizens in and enrollment in the Cherokee Nation under act of Congress of [illegible] made and provided. In support of said application, applicants submit the following statement of facts:

1st. Applicants are a common mother, named Suky Sixkiller, a full blooded Cherokee Indian.

2nd. The father of applicant, Thomas Ivo, was Thomas Sixkiller, who was the son of a councillor of said Suky Sixkiller.

3rd. The father of said William Ivo was Isaiah Russell, a slave of Saml. Ramsell.

4th. Thomas Sixkiller was applicant Thomas Ivo's Saml. Ivo.

5th. Suky Sixkiller was applicant William Ivo's Saml. Ivo.

6th. Saml. Ivo applicants to the said applicants Will Saml. Ivo is [illegible].

7th. Both said negroes were turned over to Saml. Ivo, widow of Saml. Ivo, who from that time till [illegible] said Negroes.

8th. Applicants say, if necessary, will [illegible] affidavits of said Wm. Ivo and Thos. Sixkiller, Ramsell, also of Dr. Hickson Ramsell, in support of their application.

Thomas Ivo
William Ivo

Subscribed and sworn to before me [illegible], this 9th. day of August 1894.

H Beck

Notary Public for Hamilton County, Tenn.

In relation to the application of William Ivo and Thomas Ivo for citizenship in and enrollment in the Cherokee Nation under act of Congress of the United States made and provided. In support of said application, applicants submit the following statement of facts:

1st. Applicants are a common mother, named Betsy Saiser, a full blooded Cherokee Indian.

2nd. The father of applicant, Thomas Ivo, was Thomas Saiser, who was the owner by ante-bellum of said Betsy Saiser.

3rd. The father of said William Ivo was Dewborn Ramsell, a slave of Saml. Ramsell.

4th. Thomas Saiser sold applicant Thomas to Saml. Ivo.

5th. Thos. Saiser sold applicant William Ivo to Saml. Ivo.

6th. Saml. Ivo conveyed to his born applicants till Saml. Ivo died about 1861.

7th. Both applicants were then turned over to Mrs. Ivo, widow of Saml. Ivo, with whom they lived till freed by the late War.

8th. Applicants are in necessary, with the affidavits of said Mary Ivo and Mrs. Catherine Ramsell, aunt of Dr. Jackson Ramsell, in support of these applications.

Thomas Ivo
William Ivo

Subscribed and sworn to before me....., this 5th. day of August 1896.

H. C. Beck

Notary Public for Hamilton County, Tenn.

#3806

Thomas and Wm Iggo

vs

Cherokee Nat.

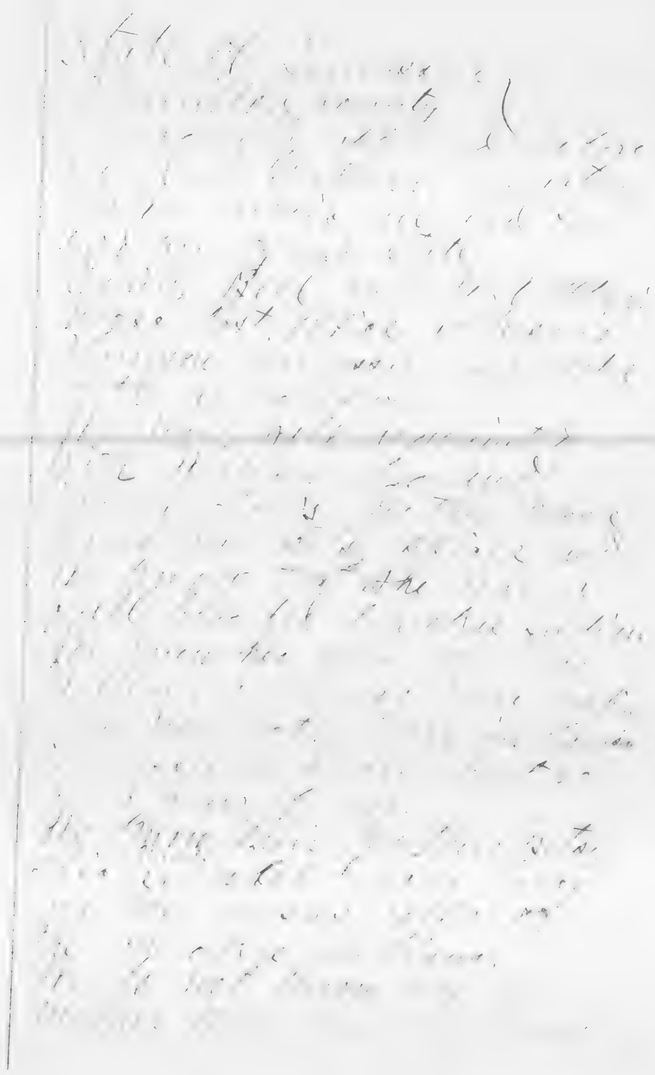
—o—

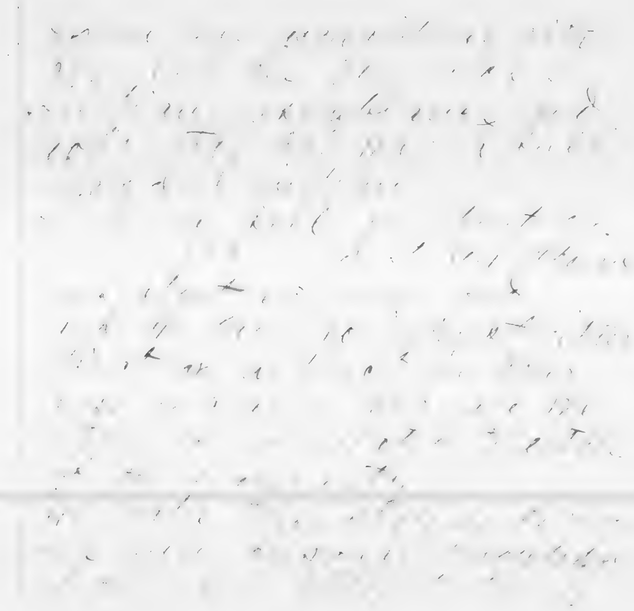
Rejected

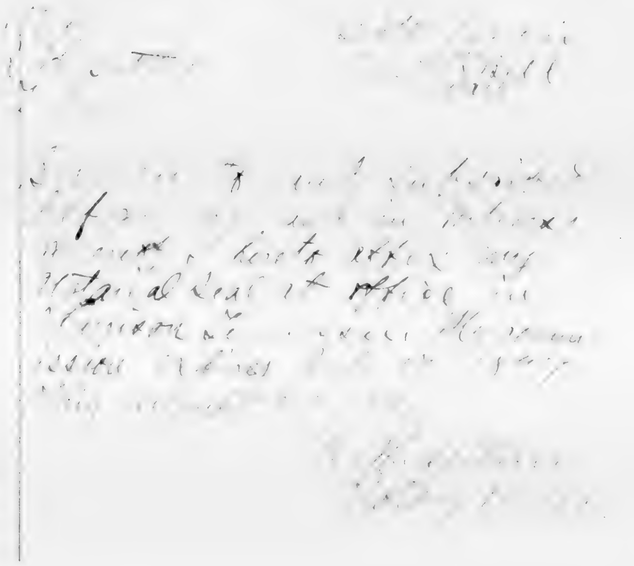
D.C. Bach.

Chickasaw

Penn







End

Nation's No. 3360

Commission's No.

In re Application of

Joseph Howard

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Joseph Howard

Nation's No. 2260

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject-matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent now waiving his said demurrer, but insisting upon the same for answer to said application, says that The Cherokee through whom the petitioner claims to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, Your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings Hastings & Bennett Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the day of , 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at WAGONER, I T

Registered Letter No. 132 Rec'd Sept 8th 1896

of E T Brown

Russellville Ark

addressed to Hon Wayo Chief

Tahlequah I T

Notify J Bettes actg

I, ( ) . do solemnly swear that on the day

of . 1896, I registered a package at the postoffice at

Wagoner, Ind. Ter., addressed to Hon S. H. Mayes, Chief of the Cherokee Nation,

at Tahlequah, Ind. Ter., that registry receipt, No . received from postmaster,

hereto attached, is a receipt for said package, which contained true copies of the ap-

plication of and of the affidavits of

, and

in support of same.

Subscribed and sworn to before me, on this 9th day of Sept, 1896.

A S McClennon

Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY

Application for Cherokee Citizenship.

To the Dawes Commission.

The undersigned, a citizen by [illegible] and recognized as such, hereby asks for admission to the rights and privileges of citizenship in the Cherokee Nation, under the treaties and laws of said Nation, and the United States. And for that purpose he [illegible] his application and census affidavit, and makes oath that he is personally acquainted with each of the following named persons, [illegible] and that each of them is entitled to be enrolled as a citizen of the Cherokee Nation, Indian Territory, as follows:

Name of applicant: Joseph H Howard, age 39 years.

Names of Children.	Ages.	Names of Children	Ages.

Name of father: John Brown, a citizen by blood of the Cherokee Nation, Indian Territory.

Name of mother: [illegible]

Post office address: [illegible]

That he is a son of Nuttelosa Brown born a daughter of John Brown that the said John Brown is the [illegible] father of applicant and was [illegible] three fourths Cherokee Indian that the said John Brown was full brother to Rachel and Betsy Brown who were enrolled on the Cherokee rolls of 1835 as three fourth Cherokee Indians that at the time the census was taken in Georgia for the year 1835 the said John Brown was in the South part of Georgia, and that this applicant and [illegible] brother was not the said John Brown was enrolled, but that applicant is informed that the said Rachel and Betsy Brown who were sisters of the said John Brown were enrolled on said census rolls of Carroll valley Georgia

STATE OF Arkansas } Joseph H Howard
COUNTY OF Pope }

On this 8th day of September 1899 personally appeared before me, the undersigned, a Notary Public within and for the County and State aforesaid, Joseph Howard who [illegible] to me well known to be the identical person who executed the foregoing application, and he acknowledged to me that he executed the same as his free act and deed for the purposes therein mentioned and set forth in the foregoing [illegible] and he [illegible] that the statements set forth in the foregoing [illegible] are true and correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 8th day of Sept 1899.

A. L. Meade NOTARY PUBLIC.

My Commission expires 9th day Dec. 1899

Affidavit of Witness.

In the matter of Petition and Memorial of Joseph Howard
for Admission to Citizenship in the Cherokee Nation.

STATE OF Arkansas
COUNTY OF Pope

Before me, [illegible] Notary Public within and for the County and State aforesaid, personally appeared Rufus C Brown who, after being by me duly sworn, states: That he is 46 years of age and a resident of the State of Arkansas and County of Pope, and that he is personally acquainted with Joseph Howard who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here state fully and clearly facts and circumstances of Indian blood.)

That he was acquainted with Joseph Howard who was a son of Madelin Brown the said Madelin Brown was a daughter of John Brown who was an applicant for enrollment as a Cherokee Indian who was a brother of Rachel & Betsy Brown Madelin Brown was the admitted issue of White and Cherokee blood and was at least three eighths Cherokee blood. Affiant is credibly informed that John Brown was a Full Blood Cherokee Indian and was a citizen and member of the Cherokee tribe of Indians. By means of knowing these facts personally Knew John Brown and Knew he was the father of Joseph Howard, and further

Affiant further states. That he has known the said Joseph Howard for the past 40 years, and knows that he has been and is recognized by neighbors, acquaintances and the public generally as having Indian blood, and that the complexion and physical appearance of the said Joseph Howard indicate that he is of Indian Blood and descent. Affiant further says that from the above facts and circumstances, and from what he has heard and knows of the family of the said Joseph Howard he believes the said Joseph Howard to be a descendant by blood of the Cherokee Indian tribe.

Rufus C Brown

Subscribed and sworn to before me this 24 day of September 1896

[illegible]
NOTARY PUBLIC.

My Commission expires 7th of Dec 1897

No 3047

Affidavit of Witness.

In the matter of Petition and Memorial of

for Admission to Citizenship in the Nation.

STATE OF

COUNTY OF

[illegible] a Citizen of the United States, over the age of twenty-one years, personally appeared before me, [illegible] duly sworn, states:

That [illegible] State of [illegible]

and [illegible] is personally acquainted with [illegible] who is an applicant for Citizenship in the [illegible] Nation.

That [illegible] (or is not a recognized Indian Blood.)

[illegible] neighbors, [illegible] social [illegible] Indian Blood [illegible] and knows [illegible] and [illegible] believes the said [illegible] Indian Tribe.

[illegible]

Subscribed and sworn to [illegible] 1896.

NOTARY PUBLIC.

My Commission expires [illegible]

POOR ORIGINAL -
BEST AVAILABLE COPY

End

Nation's No.

Commission's No

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commissioner's No.

for enrollment in the Cherokee Nation

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes and demurs the said petition, and for cause of demurrer states:

1st. That this Commission has no jurisdiction of the parties or subject matter of this controversy, nothing being [illegible]

2nd. That [illegible] to show that the applicant [illegible]

Wherefore [illegible] answer [illegible]

Having fully answered the allegations of said petition, respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC

AFFIDAVIT.

Chas. John Keel } Nation's No. 3215

vs.

CHEROKEE NATION.

Personally appeared before me, the undersigned A. C. Buffington Notary Public who being sworn states that I know the reputation of John Keel, Tom Keel and all the Chandler for truth and veracity in the neighborhood where they reside, that it is bad; that they are known as "Standing Witnesses" in Citizenship cases and that affiant would not believe them under oath.

A. C. Buffington
Notary Public
Jay Clark

Subscribed and sworn to before me this 7th day of May, 1896.

Notary Public

CHEROKEE PRINTING COMPANY, TAHLEQUAH, I. T.

Commission to the Five Civilized Tribes.

I, J. D. Hunt, do solemnly swear that on the 8 day of Sept, 1896, I saw a package registered at the postoffice at Fort Smith Arkansas addressed to Hon Samuel Mayes, Governor or Chief of the Cherokee Nation, Tahlequah Indian Territory, that Registry Receipt No [illegible] received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Charles John Vail and of the affidavits of Watt Christie and Geo W. Vann in support of same.

J. D. Hunt

Subscribed and sworn to before me, on this 8 day of Sept, 1896.

W. A. Parker, Notary Public.

Dist Ark
County Sebastian

My Com. exp. Mch. 14 1900

application

Filed by
D. Van
Atty

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of Himself and Wife and ..... children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which ..... claim is based are as follows, to-wit:

That Charles Hill John Hill and Mary C Frizzell are the Lawfull Children of Margrate Hill who was Daughter of Margrate Buckley who was a Cherokee Indian

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

None

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

x Charles Hill
Applicant.

NAMES.		AGES.		RELATIONSHIP.	
Charles Hill		50 years	John Hill	Father	
David C Hill		27	Richard G Hill	28	
John A "		17			
Richard "		14	Ada "	17	
Derek C "		9	James "	19	
Winnie "		6	Marion "	14	
Anna E "		4	Lizzie "	8 months	
Mary M "		2			

Mary C Frizzell 26 years
her [redacted] Sam Daniel Frizzell 27 "
[redacted] 23 "

Indian Territory,
..... District.

Personally appeared before me, the undersigned, a Notary Public within and for the Northern District, Indian Territory, and aforesaid Charles Hill who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

x Charles Hill

Subscribed and sworn to before me this the 17th day of Nov. 1896.

A. E. Buckley
Notary Public.

My commission expires on the ..... day of ..... 18..

My Commission Expires
Feb. 1st, 1900.

COLLINS STAR PRINT.

AFFIDAVIT.

United States of America
Indian Territory
} ss.
Northern District

In the case of Nancy Ann John, Jr. claimant for citizenship in the Cherokee Nation, before the Commission to the Five Civilized Tribes. I was a Cherokee Indian by blood, before the Honorable "Dawes Commission," authorized under act of the Congress of the United States.

Personally appeared this day before me, a Notary Public within and for the District aforesaid, duly authorized aforenamed, duly authorized to administer oaths, to me personally well known to be reputable and entitled to credit, and who being by me duly sworn according to law, deposes and says: My name is ; my age is years; My post-office address is ; I am by occupation; I am a citizen of the Cherokee Nation by blood.

And affiant declares in relation to the above-named case as follows, to-wit:

I was acquainted with Margaret Buckley
[illegible] she was one fourth
[illegible] by blood she had a daughter
named Margaret Hill. She is the mother
of the applicant. About 2 [illegible] ago
Margaret Hill emigrated from the country
[illegible] and died in the Nations some-
where [illegible] I now recognize as such by all the community where
she resides.

Nancy Ann Christie

F. M. Bedford

J. C. Cooper

Subscribed and sworn to before me this 5th day of August 1896

W. H. Twomey
Notary Public
Northern Dist. I. T.

My Com. Exp. 16th 97

State of Arkansas
County of Sebastian

[illegible]

[illegible]

[illegible]

his
Ex Wx Vann
name

subscribed and sworn to before me this
8 day of September 1886. [illegible]
Notary Public

My comm expires March 14 1900.

FOR PERSONAL
BEST AVAILABLE COPY

No 3907

Charles Hill John Hill and
others
vs.
Cherokee Nation

End

Nation's No. 3145

Commission's No.

In re Application of

[illegible]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Almira Fairchild

Nation's No. 3145

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Almira Fairchild through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that ~~his~~ her name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Mayes & Mayes & Bonaparte

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and Sworn to before me this, the 3rd day of July 1896.

NOTARY PUBLIC.

(Seal)

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 21st day of September 1896.

Executive Secretary

No 744

Application of
James D Shoemake
for Citizenship with
Certificate of Naturalization
Indexed

Filed Sept 4 - 1894
A S. McKennon
Clerk

1

Personally appeared before me the undersigned a Notary Public in and for the Northern Dostrict of the Indian Territory, W. F. Seaver, who being by me first duly sworn upon his oath says that he did on the 3 day of September 1896, deposit in the United States Post Office at Muscogee, Indian Territory an envelope containing true and correct copies of the Petition and Evidence in the case of James D Thornton for citizenship in the Cherokee Nation of Indians, addressed to Hon. Samuel H. Mayes, Chief of the Cherokee Nation, at Tahlequah, Indian Territory, with lawful postage paid thereon, and that Tahlequah I. T. is the place where the said Chief gets his mail.

W F Seaver

Sworn to and subscribed before me this 3 day of September 1896.

N. A. Gibson
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner [illegible] undersigned, respectfully states that [illegible] by blood, and is by enrolled as a member of the [illegible] Nation of Indians in the Indian Territory. That he derives his said Indian blood from [illegible] who was a [illegible] Indian by blood [illegible]

[illegible]

Your petitioner files the above facts as the basis and ground of his application for citizenship in the [illegible] Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be duly enrolled as a citizen of said [illegible] Nation of Indians, and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is [illegible] years. My Post Office address is [illegible]

My family consists of the following-named persons: My [illegible] and children, as follows:

[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged 7 years
[illegible]	aged 12 years
[illegible]	aged 9 years
[illegible]	aged 10 years
[illegible]	aged 6 years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years

WITNESS: [illegible]

[illegible]

I, [illegible] appeared before me, the undersigned authority, [illegible] to me known to be the petitioner in the above petition, who being by me first duly sworn upon [illegible] oath says that he is the petitioner in the above petition, that he has read the foregoing petition and knows the facts therein stated to be true and correct as therein believes.

[illegible]

Subscribed and sworn to before me at [illegible]

this [illegible] day of [illegible] A.D. 1900.

[illegible]

IN THE MATTER OF THE APPLICATION OF JAMES D. SHOEMAKE FOR CITIZEN) SHIP IN THE CHEROKEE NATION O' INDIANS.

Personally appeared before me the undersigned authority, J. W. Shoemake, who being by me first duly sworn, upon his oath says as follows:- I am about 62 ye ars of age. My Post Office is Webber's Falls Ind. Ter. I am a citizen of the Cherokee Nation by blood. I am a grand son of Annie Shoemake, the wife of John Shoemake and mother of John A. Shoemake, who held a reservation in Jackson County Alabama. My father John A. Shoemake had five children, viz. W. H., James P. Flis., John W., and Elizabeth Ann. The claimant James D. Shoemake, is a s on of my full sister Elizabeth Ann Shoemake, and his family is correctly set forth by name and age in his application . They are all Cherokees by blood, and entitled to be enrolled on the Cherokee Rolls as such.

/ J. W. Shoemake

Sworn to and subscribed before me this August 20 1896.

J. F. Buchanan
Notary Public.

1

1

IN THE MATTER OF THE APPLICATION OF JAMES D. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

United States of America)
Indian Territory)SS
Northern District)

Personally appeared before me the undersigned authority, W. H. Shoemake, who being by me first duly sworn upon his oath says as follows:-

My age is 71 years, My Post Office is Webbers Falls Ind. Ter. I am a Cherokee Citizen by blood.

I am a grand son of Annie Shoemake the wife of John Shoemake, who appears on the Roll of the Cherokee Tribe for the year 1817.

My father's name was John A. Shoemake, commonly called Jack. We had five children, viz:- William H., James P., Eli B., John Wesley, and Elizabeth Ann . The claimant James D. Shoemake is a son of Elizabeth Ann Shoemake a full sister of mine, and a grand daughter of the said Annie Shoemake, wife of John Shoemake, aforesaid. The names of the claimant' s children and their ages as appears in his application are correct, and are the lawful issue of the said claimant I was admitted a citizen of the Cherokee Nation in 1883 by Act of the Tehee Court, since which time I have been recognized as a full citizen of the Cherokee Nation, have drawn my per capita in all payments, and have held the position of Circuit Judge of Canadian District, and am now living and holding property as a Cherokee citizen in Canadian District, Cherokee Nation, Indian Territory. My grandfather and grand mother John and Annie Shoemake held a reservation as Cherokee Indians in Jackson County Alabama, near Crow town, for which the Government agreed to pay the sum of $7680.00 on or about January 2, and March 22, 1847.

W. H. Shoemake

Sworn to and subscribed before me this August 18, 1906.

Notary Public

1

I

IN THE MATTER OF THE APPLICATION OF JAMES D. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION.

Personally appeared before me the undersigned authority, James D. Shoemake, who being by me first duly sworn, upon his oath says as follows:-

My age is 45 years. My Post Office is Muscogee I. T. I live on the Cherokee Nation ten miles East of Muscogee I. T. I am the claimant in the application hereto attached. I am the great grand son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County Alabama, as Cherokee Indians. I am the grand son of John A. Shoemake, and son of Elizabeth Ann Shoemake, and the nephew of W. H. Shoemake and J. W. Shoemake who are citizens of the Cherokee Nation and residents of Canadian District. The names as set forth in my application, viz. Annie E., Cyrus D., Richard E., Marion F., Delia F., Junia, and Paul E., are my children, and James H, Jesse, and Pearl are my grand children, and childr n of my daughter Annie E. Hightower. We and each of us are Cherokee Indians by blood and the true lineal descend nts of Annie Shoemake, wife of John E. Shoemake aforesaid. I made application to the Speer Court in the Cherokee Nation for citizenship under the old Law in the year 1884, furnished my proof, which is of record at Tahlequah I. T., and which the Cherokee authorities now refuse to give me a transcript of. After baffling me for about two years they then told me that I was rejected, hence this application.

James D. Shoemake

Sworn to and subscribed before me this August 18, 1896.

Notary Public.

End

Nation's No. 216

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Mary Thornton et al

Nation's No. 54

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent now having his said demurrer, but insisting upon the same for answer to said application, says that Edmond Thornton through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Rebecca Thornton made application for Edmond Thornton

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings Hastings & Peterson's Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 23 day of April, 1896.

NOTARY PUBLIC.

Personally appeared before me the undersigned a Notary Public in and for the Northern Doestrict of the Indian Territory, W. F. Seaver, who being by me first dul ,swern upon his oath says that he did on the ___ day of Septe ber 1896, deposit in th United States Post Office at Muscogee, Indian Territory an envelope containing true and correct copies of the Petition and Evidence in the case of Mary J Thornsbe Dal for citizenship in the Cherokee Nation of Indians, addressed to Hon. Samuel H. Mayes, Chief of the Cherokee Nation, at Tahlequah, Indian Territory, with lawful postage paid thereon, and that Tahlequah I. T. is the place where the said Chief gets his mail.

W F Seaver

Sworn to and subscribed before me this 8 day of September 1896.

N. A. Gibson

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner [illegible] undersigned, respectfully states that [illegible] and desires to be enrolled as a member of the Cherokee [illegible] Nation; that [illegible] he derives his said Indian blood from [illegible] who was a [illegible] and that [illegible]

[illegible]

Your petitioner further [illegible] application for citizenship in the Cherokee Nation; and says that [illegible] can may be fully investigated by your Honorable Commission [illegible] and that [illegible] Cherokee Nation of Indians [illegible] and that [illegible] citizenship in accordance with the laws and treaties [illegible] Nation of Indians.

My age is [illegible] years. My Post Office address is [illegible]

My family consists of the following persons, [illegible] and children as follows:

[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years
[illegible]	aged [illegible] years

WITNESS my [illegible] this [illegible]

[illegible]

[illegible]

Personally appeared before me the undersigned authority [illegible] to me well known to be the identical person who [illegible] and who being by me first duly sworn upon [illegible] oath says that [illegible] the foregoing petition [illegible] and that the statements therein made are true as he believes.

Mary J Sizemore

Subscribed and sworn to before me at [illegible] this [illegible] day of [illegible] A.D. 1896.

N.A. Gibson

Notary Public.

POOR ORIGINAL - BEST AVAILABLE COPY

IN THE MATTER OF THE APPLICATION OF MARY J. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority, J. W. Shoemake, who being by me first duly sworn upon his oath says as follows:-

I am 62 years of age. My Post Office is Webbers Falls I. T. I am a citizen of the Cherokee Nation by blood and have been since 1883. I have participated in all of the drawings since 1883, exercised the right of franchise, and been accorded all the rights of a full Cherokee citizen. The claimant is the widow of my nephew J. E. Shoemake, deceased, who was the son of Elizabeth Ann Shoemake, my full sister, who was the daughter of John A. Shoemake, who was the son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County Alabama, by virtue of the Cherokee blood of his wife Annie as will appear from the Cherokee Rolls of 1817.

The children as set forth in claimant's application by name and age are the children of this claimant, by her deceased husband, J. E. Shoemake, and are Cherokee Indians by blood, and are entitled to be enrolled as such.

J. W. Shoemake

Sworn to and subscribed before me this August 7th 1896.

H. H. Benham

Notary Public.

IN THE MATTER OF THE APPLICATION OF MARY J. SHOEMAKE FOR CITI)
ZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority Mary J. Shoemake, who being by me first duly sworn upon her oath says as follows:-

I am 35 years of age. My Post Office is Muscogee I. T. I am the widow of J. E. Shoemake, deceased, whose name appears in my application, of myself and children for Cherokee citizenship, as my husband. He was a nephew of W. H. and J. W. Shoemake who are citizens of the Cherokee Nation. The names of our children and ages as set forth in my application are correct. We were lawfully married in Hunt County in the State of Texas on the 13 day of [illegible] 18[illegible], and the children as named in my application were born of my body and begotten by my deceased husband, J. E. Shoemake, and Cherokee Indians by blood.

Mary J. Shoemake

Sworn to and subscribed before me this 19 day of August 1896.

[illegible]
Notary Public.

IN THE MATTER OF THE APPLICATION OF MARY J. SHOEMAKE FOR CITIZEN)
SHIP IN THE CHEROKEE NATION OF INDIANS.

United States of America)
Northern District) Ss
Indian Territory)

Personally appeared before me the undersigned authority, W. H. Shoemake, who being by me first duly sworn, upon his oath says as follows:-

I am 71 years of age? My Post Office is Webbers Falls Ind. Ter. I am a Cherokee Indian by blood, and a recognized citizen of the Cherokee Nation and have been since 1873. I held the position of Circuit Judge for four years in the Southern Judicial District of the Cherokee Nation. I am a grand son of Annie Shoemake, the wife of John Shoemake who held a reservation in Jackson County, Alabama, as Cherokee Indians My father was John A. Shoemake comminly called Jack, the son of Annie Shoemake aforesaid. He had five children, Viz, William H. , James P., Eli B., John Wesley, and Elizabeth Ann. The claimant Mary J. Shoemake is the widow of J. E. Shoemake who was the son of my sister Elizabeth ANN Shoemake, and the grand son of John A. Shoemake, and the grent grand son of Annie Shoemake, who was enrolled on the Rolls of the Cherokee Nation for 1817 as a Cherokee Indian by blood. John Shoemake held the reservation aforesaid by right of his wife Annie Shoemake, aforesaid, as will appear by record in the Indian Bureau at Washington.

The names and ages of claimants children as set forth in her application are correct and they are the children of J. E. Shoemake deceased, my nephew, and are Cherokee Indians by blood.

W. H. Shoemake

Sworn to and subscribed before me this August 18, 1896.

Notary Public.

End

3103

Nation's No. 5 0 8

Commission's No.

In re Application of

Nge i. Kissmatt -

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. 314

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

No ~~7861~~

Application of
George W. Thomas
for Citizenship
in the Cherokee Nation
for Indemnity

Filed Sept 4 - 1844
T. S. McKennon.
Comr

Rejected

D. J. Haney
Atty for Claimant

1

Personally appeared before me the undersigned authority, a Notary Public in and for the Northern District of the Indian Territory, W. F. Seaver, who being by me first duly sworn, upon his oath says that he did on this the 3rd., day of September, 1896 deposit in the United States Post Office at Muscogee, Ind. Ter. an envelope containing true and correct copies of the Petition and Evidence in the case of George A. Shoemake for citizenship in the Cherokee Nation of Indians, addressed to Hon. Samuel H. Mayes, Chief of the Cherokee Nation, at Tahlequah, Indian Territory, with lawful postage paid thereon, and that Tahlequah is where the said Chief gets his mail.

W. F. Seaver

Sworn to and subscribed before me this September 3, 1896.

N. A. Gibson
Notary Public aforesaid.

Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner [illegible] undersigned, respectfully states that he is [illegible] by blood and entitled to be enrolled as a member of the [illegible] Nation at Tahlequah, Indian Territory. That he derives his said Indian blood from [illegible], his [illegible] who was a [illegible] by blood [illegible]

[illegible]

[illegible] Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of the [illegible] Nation of Indians, and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is [illegible] years. My Post Office address is [illegible]

My family consists of the following-named persons, My [illegible] and children, as follows:

[illegible]	aged 27	years.
[illegible]	aged [illegible]	years.
[illegible]	aged [illegible]	years.
[illegible]	aged [illegible]	years.
[illegible]	aged 17	years.
[illegible]	aged 3	years.
[illegible]	aged [illegible]	years.
	aged	years.
	aged	years.
	aged	years.

WITNESS my [illegible]

[illegible]

[illegible]

Personally appeared before me, the undersigned authority, [illegible], to me known to be the petitioner in the above petition, who being by me first duly sworn upon his oath says that [illegible] petitioner to the above petition, that he has read and heard the said petition, and [illegible] true.

Subscribed and sworn to before me in [illegible] this [illegible] day of [illegible] A.D. 1896.

[illegible]

[illegible]

POOR ORIGINAL -
BEST AVAILABLE COPY
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IN THE MATTER OF THE APPLICATION OF GEORGE W. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority J. W. Shoemake who being by me first duly sworn upon his oath says as follows:-

I am 62 years of age. My Post Office is Webbers Falls I. T. I am a Cherokee Indian by blood, and a recognized citizen of the Cherokee Nation and have been since 1883. I am a full brother of W. H. Shoemake who testifies in this case, I know the claimant George W. Shoemake, He is a son of my full sister Elizabeth Ann Shoemake, who was a daughter of John. A. Shoemake, who was the son of Annie Shoemake, the wife of John Shoemake who held a reservation in Jackson County Alabama, as Cherokee Indians, as will more fully appear by the records at Washington, that the said John Shoemake held said reservation by virtue of his wife Annie's Cherokee blood, as per Rolls of 1817.

The names and ages of claimant's children as set forth in his application are correct and he and his children are Cherokee Indians by blood, and the direct lineal descendants of Annie Shoemake aforesaid, and are Cherokee Indians by blood.

J. W. Shoemake

Sworn to and subscribed before me this August 20 1896.

J. C. Buchanan
Notary Public.

IN THE MATTER OF THE APPLICATION OF GEORGE W. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority George W . Shoemake, who being by me first dul y sworn upon his oath says as f llows:-

I am 50 years of age.

My Post Office is Checotah I. T. I am the claimant in the application hereto attached. I am a nephew of W. H. and J. W. Shoemake who are Cherokee citizens by blood, and who, testify in this case I am the son of their full sister Elizabeth Ann Shoemake, who was the daughter of John A. Shoemake, who was the son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County Alabama, by virtue of the Cherokee blood of his wife Annie Aforesaid, as appears by the Rolls of the Cherokee Tribe for 1817, as of record in the Indian department in Washington D. C. . The names and ages as set forth in my application of my children are correct. They being my lawful heirs and Cherokee Indians by blood.

Sworn to and subscribed before me this August 18, 1896.

Notary Public.

IN THE MATTER OF THE APPLICATION OF GEORGE W. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority, W. H. Shoemake, who being by me first duly sworn upon his oath says as follows:-

I am 71 years of age. My Post Office is Webbers Falls I. T. I am a Cherokee Indian by blood, and a recognized citizen of the Cherokee Nation and have been since 1883. I held the position of Circuit Judge for four years in the Southern Judicial District of the Cherokee Nation. I know the claimant, George W. Shoemake. He is a son of my full sister Elizabeth Ann Shoemake, who was the daughter of John A. Shoemake, who was the son of Annie Shoemake, the wife of John Shoemake who held a reservation in Jackson County, Alabama, as Cherokee Indians, as will more fully appear by the records at Washington, that said John Shoemake held said reservation by virtue of his wife Annie, as per Rolls of 1817. The names and ages of claimant's children as set forth in his application are correct, and he and his children are Cherokee Indians by blood and the direct lineal descendants of Annie Shoemake aforementioned.

Sworn to and subscribed before me this August 1st, 1896.

Notary Public.

End

Nation's No. 2-0

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC

No ~~[illegible]~~ 114

Application of

James Pettibone

for Allotment on

the Yakima Nation

of Indians

Filed Sept 17 - 1894

U. S. Indian

Agent

Rejected

U. S. Indian

Agent for Yakima

(1)

Personally appeared before me the undersigned, a Notary Public, in and for the Northern District of the Indian Territory, W. F. Seaver, who being by me first duly sworn upon his oath says that he did on this the 3 day of September 1896 deposit in the United States Post Office at Muscogee Ind. ter. an envelope sealed by him containing true and correct copies of the Petition and Evidence in the case of James P. Thornhill for citizenship in the Cherokee Nation of Indians, address d to Hon. Samuel H. Mayes, Chief of the Cherokee Nation, at Tahlequah, Indian Territory, with lawful postage paid thereon, and that Tahlequah is the place where the said Chief gets his mail.

W. F. Seaver

Sworn to and subscribed before me this 3 dy of September 1896.

N. A. Gibson
Notary Public aforesaid.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, [illegible], undersigned, respectfully represents that he is a [illegible] citizen by blood, and desires to be enrolled as a member of the Cherokee Nation, Indian Territory. That he derives his said Indian blood from [illegible] who was a Cherokee by blood. [illegible]

Your petitioner further represents that he is basing his application for citizenship in the Cherokee Nation upon the following grounds, to-wit: [illegible] and prays that his claim may be duly investigated by your Honorable Commission, and that he may be duly enrolled and [illegible] Nation of Indians, and be entitled to all rights and privileges of such citizenship in accordance with the laws and treaties of said Nation of Indians.

My age is 70 years. My post-office address is [illegible]. My family consists of the following-named persons, to-wit: My wife [illegible] and children, as follows:

[illegible]	aged	22 years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years
[illegible]	aged	years

WITNESS my signature this [illegible]

[illegible]

Personally appeared before me the undersigned authority [illegible], to me known to be the petitioner in the above petition, who being by me first duly sworn upon [illegible] oath says that he is the petitioner in the above petition; that he has read the said petition and that the facts stated therein are true as he verily believes.

[illegible]

Subscribed and sworn to before me at [illegible] this [illegible] day of [illegible] A.D. 1896.

[illegible]

No.

IN THE MATTER OF THE APPLICATION OF JAMES P. SHOEMAKE FOR CITIZEN) SHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority, J. W. Shoemake, who being by me first duly sworn upon his oath says as follows:-

I am 62 years of age. My Post Office is Webbers Falls I. T. I am a citizen of the Cherokee Nation by blood, and have been since 1883. I have participated in all of the drawings since 1883, exercised the right of franchise, and been accorded all the rights of any other full Cherokee Citizen.

The claimant is a full brother of mine, and the son of John A. Shoemake, and the grand son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County, Alabama as Cherokee Indians. My father had five children, viz. William H., James P. Eli B/, John Wesley., and Elizabeth Ann.

We were all born and raised on our grand parents' reservation in Jackson County Alabama . The claimant is a Cherokee Indian by blood and entitled to be enrolled as such.

J. W. Shoemake

Sworn to and subscribed before me this August 30" 1906.

J. P. Buchanan

Notary Public.

IN THE MATTER OF THE APPLICATION OF JAMES P. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

United States of America)
Northern District)SS
Indian Territory)

Personally appeared before me the undersigned authority, W. H. Shoemake, who being by me first duly sworn, upon his oath says as follows:-

My age is 71 years, my Post Office is Webbers Falls I. T. I am a Cherokee Indian by blood. I am the grand son of Annie Shoemake the wife of John Shoemake, who appears on the Roll of the Cherokee Tribe for the year 1817. My father was John A. Shoemake, commonly called Jack, the son of Annie Shoemake aforesaid. We had five children viz. William H., James P., Eli B., John Wesley, and Elizabeth Ann. The claimant James P. Shoemake is my full brother and the son of John A. Shoemake and the grand son of Annie Shoemake. The names of the claimant's children and their ages are given by him in his application.

They and each of them are Cherokee Indians by blood and are entitled to be enrolled on the Cherokee Rolls as such. My grand father and grand mother aforesaid, held a reservation in Jackson County Alabama near Crowtown, as Cherokee Indians, and lived and died there. Myself, the claimant, and our other brothers and sister were all born on that Reservation. I am a citizen of the Cherokee Nation and have been since 1883. I have held the position of Circuit Judge in my District for four years, and have participated in all the payments since 1883 W. H. Shoemake

Sworn to and subscribed before me this August 18, 1896.

Notary Public.

IN THE MATTER OF THE APPLICATION OF JAMES P. SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority, James P. Shoemake, who being by me firsy duly sworn upon his oath says as follows:-

I am 70 years of age. My Post Office is Catoola Texas. I am a Cherokee Indian by blood. I am the son of John A. Shoemake, and the grand son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County, Alabama, as Cherokee Indians, and a full brother of W. H. and J. W. Shoemake, who are citizens of the Cherokee Nation and residents of Canadian District Indian Territory.

My father had five children, viz., William H., James P., Eli B. , John Wesley, and Elizabeth Ann. We were all born and raised on our grand parents' aforesaid reservation in Jackson County Alabama, and were always known and recognized as Cherokee Indians by blood. Our grand mother Annie Shoemake was enrolled on the Cherokee Rolls of 1817. The names of my children, George M. Charley, and Kissie are set forth in my application, and they are the lawful issue of my body, and they and each of them are Cherokee Indians by blood, and true lineal descendants of my grandmother, Annie Shoemake.

James P. Shoemake

Sworn to and subscribed beforeme this August 18, 1896.

Noatry Public.

End

Nation's No. 2 4 0 3

Commission's No.

In re Application of

Tiba Bohannan

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent now says his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for readmission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

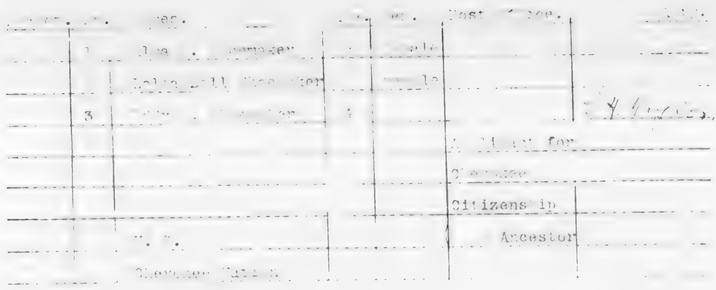
S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of , 1896.

NOTARY PUBLIC.



Cherokee Nation of Citizenship,

Cherokee Nation, I.T. [illegible].

Tahlequah, Cherokee Nation, [illegible], 1909

Alice [illegible],
[illegible] Orphan,
[illegible] C. Breedlove,
vs
The Cherokee Nation.

Application for Cherokee Citizenship.

[illegible] application for [illegible] Citizenship of the Cherokee Nation, [illegible] guardian on behalf of [illegible] minor children of [illegible] Cherokee by blood, [illegible] Judge of Canadian District, [illegible] will be found [illegible] months of [illegible] and [illegible] of each [illegible] year. [illegible] application [illegible] the guardian in behalf of [illegible] minor children of [illegible] Cherokee by blood [illegible] Tahlequah, Cherokee Nation, [illegible] before the [illegible] in Tahlequah [illegible] Cherokee Nation [illegible] of the applicants who reside in Canadian County, State of Arkansas. He also takes [illegible] on behalf of [illegible]

APPLICATION FOR LETTERS.

TO THE OMAHA COUNCIL OF CAMDEN:

GENTLEMEN:-The under-
signed hereby, [illegible] this petition for re-admis-
sion [illegible] to your Council, according to the Constitu-
tion and [illegible] Council, [illegible],
[illegible] Camden [illegible]. A. [illegible] following statement
[illegible] C. [illegible] Camden Circuit Judge
[illegible] Camden Police, [illegible] believes [illegible]
[illegible] witnesses [illegible] good, citizens of [illegible]
[illegible] 1907. [illegible] entry
[illegible] lawful grounds for this [illegible]
[illegible] and if proved [illegible] when
[illegible] all be duly [illegible] and in accordance with the
[illegible] law.

A. D. 0-7-4 years; postoffice [illegible]; [illegible] with
their relation [illegible] as follows:

Name.	Sex.	Age.	Relation.
Alice Woomako	Female		Dau. children of
Mabel Bell Woomako	"	"	J. F. Woomako.
Mary O. Woomako	"		

[illegible] witness of which [illegible] I have to [illegible] this
[illegible] 20th day of Sept.,1907.

C. W. Taylor, Attorney.

[illegible] F. Woomako, Guardian for
[illegible] children.

/l m Shoemake,
l[illegible] all Shoemake
. [illegible] O. Shoemake.
vs
Shoemake Allen.

Office Commissioner of Citizens [illegible],
[illegible]logue, Ind. Ter., Aug. 2nd, 1896.

. . Shoemake, [illegible] first sworn upon his oath states, as follows: I am 5[illegible] years old. I am a citizen of the Choctaw Nation by blood [illegible] and a full blood Indian. The names applied to in this case are [illegible] grandchildren, their names are Allen, a girl [illegible] years old, Lee Allen, a boy 8 or 9 years old and Ada O. Shoemake about 5 years old. The two live [illegible] Sebastian County, Arkansas. They derive their Choctaw blood from their father T. J. [illegible] who was a full blood from his father, . . Shoemake. My self and I were born in Tallahatchie County, Mississippi. I have been [illegible] and I received my Choctaw blood from Annie Shoemake. [illegible] was a full blood Choctaw Indian. John and Annie Shoemake [illegible] of 1[illegible] and I [illegible] Shoemake. My father, [illegible] my self and family lived in the State of Alabama, Jackson County, in the Fork Fork of Owen Creek. I was told that under the treaty of 1[illegible]7 my parents took this home as a reservation and lived on it and cultivated it. I left [illegible] in the year 1845, and I heard that [illegible] dispossession of this place sometime between 1850 and 1855. I don't remember who took the place from the government, for I never heard of the dispossessed folks. There were two men living on the place or near the place, [illegible] John C. Carpenter and [illegible]. I think my father was dead.

[illegible] agents employed the Operators to bring suit against the government, that were to give the Operators 1/2 of the reservation should they win the case. He, through them, the Operators, sued the land and was placed in possession of it. [illegible] sold out [illegible] interest to Operators and my brother, Eli Shoemake, [illegible] to make [illegible] and [illegible] power of Attorney, to sell my part and do for me as if I were present. I received a consideration for my interest in these lands. The folks were living on this place from 1[illegible] to about 1851.

The name of John A. Shoemake should appear on the rolls of 1855 and other rolls of Pontotoc. I am acquainted with William A. Shoemake an applicant before the Commission, he is a nephew of mine and a son of my brother Eli Shoemake, he, the applicant is now living near Ingston,

[illegible] County, [illegible] is between 30 and 35 years of age [illegible] know his [illegible].

Cross examined.

[illegible] day of January 1893. [illegible] was before what is known as the "[illegible] Court". [illegible] wife of [illegible] Shoemake, [illegible] father, [illegible] mother's name,was, [illegible] was informed, [illegible] "Ne", [illegible] was [illegible] white [illegible]. I [illegible] to say, [illegible] I [illegible] [illegible] father, [illegible] Jo, at [illegible] was [illegible] [illegible] my own father as an [illegible]. [illegible] [illegible] is true,I am sure, as I [illegible] from [illegible] father. [illegible] [illegible] of [illegible] [illegible] of [illegible] [illegible] for my [illegible]. [illegible] of in Cherokee [illegible] [illegible] [illegible] [illegible] so [illegible] [illegible] [illegible] wife [illegible], [illegible] [illegible]. He [illegible] said [illegible] [illegible] [illegible] [illegible]

I dont now whether it was a fee simple or life estate patent that was given John Shoemake as a title to the reservation before spoken of.

Re-direct-Mr.

When I lived in the State of Alabama I was not required to work on the public roads,was not compelled to pay Poll Tax, and was exempt from military duty, my father was my father. And my father and myself were not allowed to testify as a witness for or against a white man in the Courts.

Re-cross-Mr.

I think we were compelled to pay taxes on our lands.

Arrest Confirm Cherokee Citizenship.

itnes s.

ieiard Duffey . . Hill.

tate of Missouri,)
) ss.
ounty of Clark.)

worn and subscribed to efore me on this 24th day of May 1948.
ne I certify that all the foregoing statements were fully and carefully
ead over e explained to said affiant John A. Smith before he
ook the oath affixed his signature, and that he is entitled to
full credit.

. . Williams,
Clerk County Court.

ate of Oklahoma)
)
vs)
Cherokee Nation.)

I, Dean Strode, being of lawful age and duly sworn, states as follows
I am years old. I reside in Tahlequah District.
I was born in Collins Co. lived near Mt. Mills, Washington County, Ark.
We moved to Cove Mopor, Greenbriers and Choemakes. We left there in the
year 1886 or 1887 and went out in search of the Western territories. We left
Arkansas because we were either "loose" jusers." or leave the
state under the law of 1885.
Attest.

. . Williams,
Asst. Clerk, Dist.Ct.,1900.

Alma L. Bell,
Adam T. McIntosh
vs
Cherokee Nation.

Office Commission on
Citizenship, Dec. 1., 18, 1889.

Dennis W. Bushyhead who affirmed duly sworn states as follows:
I am 43 years of age. I live at Tahlequah, Cherokee Nation. I do not know of any Cherokees by the name of Ironsmoke. When I was in California there was a family of Indians by that name who claimed to be Cherokees. That was the only time I ever heard of the family claiming to be Cherokees. That was in Calaveras county. They came to that country from Oklahoma Territory. Americans looked like darkeys to me. None of them were appropriated.

Cross Examination.

Many Indians people in California in the years 49 and 50. Don't know how many there were. Never saw any of them say they ever lived in Oklahoma. In the year 1849 or 1850 heard of people that is said to be Cherokees, but they were rejected.

Attest

J. J. Mayes, Clerk Commission.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 22. day of Sept. 1896.

John L. Adair
Executive Secretary

No ~~227~~ 311.

Application of
Lula B Shoemake
and
Edwin Lee Shoemake
By their next friend
W H Shoemake
for Citizenship in
the Cherokee Nation

Filed Sept 4 - 1896
T. B. McKennon
Comm

Rejected

W. P. Ledgerwood
Atty for Shoemakes

Personally appeared before me the undersigned authority, a Notary Public in and for the Northern District of the Indian Territory, W. P. Seaver, who being by me first duly sworn, upon his oath says that he did on this the 3rd., day of September, 1896 deposit in the United States Post Office at Muscogee, Ind. Ter. an envelope containing true and correct copies of the Petition and Evidence in the case of Lula B. & Eddie E. Shoemake by next friend for citizenship in the Cherokee Nation of Indians, addressed to Hon. Samuel H. Mayes, Chief of the Cherokee Nation, at Tahlequah, Indian Territory, with lawful postage paid thereon, and that Tahlequah is where the said Chief gets his mail.

W. P. Seaver

Sworn to and subscribed before me this September 3, 1896.

N. A. McBride

Notary Public aforesaid.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, [illegible] undersigned respectfully states that he is a [illegible] to be enrolled as a member of the [illegible] Nation of Indians in the Indian Territory. That he derives his said Indian blood from [illegible] who was a [illegible] Indian by blood. That said [illegible] was [illegible] a recognized [illegible] and [illegible] by the [illegible] Council.

Your petitioner [illegible] the [illegible] application for enrollment in the [illegible] Nation, and prays that [illegible] may be fully investigated by your Honorable Commission and that he be adjudged [illegible] Nation of Indians entitled to the rights and [illegible] citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is [illegible] years. My Post Office address is [illegible]
My family consists of the following persons: My [illegible] and children are as follows:

[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years
[illegible] aged [illegible] years

WITNESS my hand this [illegible] day of [illegible] 1896.

[illegible]

Indian Territory
Creek Nation

Personally appeared before me the undersigned authority [illegible] to me known to be the petitioner in the above petition who being by me first duly sworn upon [illegible] oath says that he is the petitioner in the above petition, that he has read the same and knows the contents thereof and that the facts stated therein are true as he verily believes.

[illegible]

Subscribed and sworn to before me at [illegible] this [illegible] day of [illegible] A.D. 1896.

[illegible]

IN THE MATTER OF THE APPLICATION OF W. H. SHOEMAKE FOR HIS GRAND CHILDREN LULA B. SHOEMAKE AND EDDIE COLE SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned auhtority J. W. Shoemake, who being by me first duly sworn upon his oath says as follows:-

I am 62 years of age. My Post Office is Webbers Falls I. T. I am a Cherokee Indian by blood, and have been fully recognized since 1883. W. H. Shoemake who makes application for his grandchildren Lula B. Shoemake, and Eddie Cole Shoemake, is my full brother, and they live with him in Canadian District, Cherokee Nation Indian Territory. They are children of W. C. Shoemake, who was a son of this claimant W. H. Shoemake, who is a son of John A. Shoemake, who was a son of Annie Shoemake, who was the wife of John Shoemake, who held a reservation in Jackson County Alabama, by virtue of the Cherokee blood of his wife, the said Annie, as will appear by the Cherokee Roll of 1817, on file in the Indian Department in Washington D. C.

I know my brother's grand children Lula B. and Eddie Cole Shoemake, and know that they are descendants of W. C. Shoemake, the son of my brother and are Cherokee Indians by blood.

J. W. Shoemake

Sworn to and subscribed before me this August 20th -1896.

J. B. Mehaffey
Notary Public.

IN THE MATTER OF THE APPLICATION OF W. H. SHOEMAKE FOR HIS GRAND CHILDREN LULA B. SHOEMAKE AND EDDIE COLE SHOEMAKE FOR CITIZENSHIP IN THE CHEROKEE NATION OF INDIANS.

Personally appeared before me the undersigned authority W. H. Shoemake, who, being by me first duly sworn upon his oath says as follows.-

I am 71 years of age. My Post Office is Webbers Falls I. T. I am a Cherokee Indian by blood, and a recognized Cherokee citizen and have been since 1883.

I held the position of Judge for four years in the Southern Judicial District of the Cherokee Nation. I make this claim in behalf of my grand children Lula B. Shoemake and Eddie Cole Shoemake who are the children of my deceased son W. C. Shoemake, I being the son of John A. Shoemake, and he the son of Annie Shoemake, the wife of John Shoemake, who held a reservation in Jackson County Alabama by virtue of his wifes Cherokee blood, as shown by the Rolls of 1817, as evidenced by them records in the Indian department at Washington D. C. These children are the lineal descendants of the aforesaid Annie Shoemake and are Cherokee Indians by blood, and are entitled to be enrolled as such.

Sworn to and subscribed before me this August 18, 1896.

Notary Public.

End

3166

Nation's No. 2278

Commission's No.

In re Application of:

Daniel Allenfelder

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Daniel Allen

Nation's No. 2278

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving the above and aforesaid demurrer, but insisting upon the same for answer to said application, says that John Grant through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hutchings & Bankston Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Harmon Ind Ty

Registered Letter / Parcel / No. 104. Rec'd Sep 5, 1886

of O M Calloway

Harmon D.T.

addressed to Hon S H Mayes

Tahlequah D.T.

Postmaster P.M.

B. Thompson

& Sept

1.01

Daniel Allen

Joseph Allen Jr. and

Dr. John Dr. Hackburn

B. Thompson

& Sept

William Whitall

January 2 1801

POOR ORIGINAL -
BEST AVAILABLE COPY

OFFICERS:
T. M. RUFFINGTON, Circuit Judge, Vinita.
WATT STARR, District Judge, Claremore.
JOE M. LAHAY, Clerk, Claremore.
J. C. WARD, Sheriff, Foyil.
JOHN BULLETTE, Solicitor, Claremore.

OFFICE OF
DISTRICT CLERK.
COOWEESCOOWEE DISTRICT, C. N.

TERMS OF COURT.
CIRCUIT COURT:
First Monday in June and Fourth Monday in September.
DISTRICT COURT:
First Monday in January and July.

To [illegible].

[illegible] Daniel Allen [illegible].

[illegible] he [illegible].

[illegible] Edie Evans [illegible]

[illegible] 1825-1835.-

[illegible] Daniel Allen [illegible].

[illegible] he [illegible].

Alfred McCullough
[illegible]

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:

The undersigned, your petitioner, Daniel Allsup for and on behalf of Himself

and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and for those entitled to share in the distribution of the funds and allotments of Lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner states that He is a Cherokee Indian by blood, deriving the same from John Grant and Edie Grant

whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years of 28 or 1835 the same to be submitted to your Honorable Commission for their full, complete, investigation and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully submitted.

his
Daniel x Allsup
mark

Enrollment of Family, with relationship attached, as follows:

Names	Ages	Relationship
Daniel Allsup	68	Great-Grand Son
Lucy Howell	26	Great-Great-Grand Daughter
Ruphus Allsup	28	" " " Son

IN WITNESS WHEREOF hereunto set hand this day

1896.

his
Daniel x Allsup
mark

Witness:
A. M. Callaway

United States of America,)
Indian Territory,)
Northern District.)

Daniel Allsup

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Attest A M Callaway

Daniel X Allsup
his mark

Subscribed and sworn to before me on this the day of 1896.

Alfred M Callaway
Notary Public.

My commission expires Feb. 18th 1900

United States of America
Indian Territory } ss
Northern District

Indian Chieftain Print, Vinita.

Daniel Allsup after being duly sworn states on oath ~~that~~ age is 68 years; a resident and citizen of Cherokee Nation county and state aforesaid; postoffice Claremore I.T. and has the following children to-wit:

Lucy Howell
Ruphus Allsup

who were born to me in lawful wedlock and are my children as set forth in my application for citizenship in the Cherokee Nation.

his
Daniel X Allsup
mark

Witness.
A M Callaway

Subscribed and sworn to before me this the 7 day of Aug 1898.

Alfred M Callaway
Notary Public

I, Alfred M Callaway do certify, that Daniel Allsup a creditable person and entitled to full faith and credit before any of the courts of the state of Indian Territory

Alfred M Callaway
Notary Public

My commission expires ____ 18__

5 Sep.

Joseph Allsup
he him

he 46
farmer Claremore
Ind. Ter. he he
Daniel Allsup
he
Jeremiah Allsup David Allsup who
married Martha Grant daughter of Edie Grant
Daniel Allsup
Edie Grant

Joseph Allsup
5th Sept.
Affd & M Calloway
Feb 18" 1896

POOR ORIGINAL -
BEST AVAILABLE COPY

Daniel Allsop

Recorded

5th Sept.

Dr John M Blackburn

he him

he 63 Doctor

Claremore Ind Ter.

he he

Daniel Allsup

40 he

Son of Jeremiah Allsup who was the son of Daniel Allsup.
Who married Martha Grant whose was a daughter of Edie Grant

Daniel Allsup

Edie Grant

Dr John M Blackburn

5th Sept

1900.

Alfred McCalmay

Feb 18th 1901

End

Nation's No. 9775

Commission's No.

In re Application of

Jas. [illegible]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. 2114

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent now waiving his said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 24 day of Feb. 1896.

NOTARY PUBLIC

Commission to the Five Civilized Tribes.

I, Peter Mullen, do solemnly swear that on the 6th day of September 1896, I saw a package registered at the post office at Fort Smith, Arkansas, addressed to Samuel Mayes, Chief of the Cherokee Nation, Tahlequah, Indian Territory, that Registry Receipt No. 353 received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of James Surentine and of the affidavits of and in support of same.

and Peter Mullen

Subscribed and sworn to before me, on this 6th day of September, 1896.

Wm. A. Pate

NOTARY PUBLIC.

My Commission expires 14th of March, 1900.

Application for enrollment
to Hon Thos P. James and his Commissioners
as Authorized by act of congress of June 10th 1896
to hear and determine claims for Citizenship in
the Cherokee Nation Gentlemen the undersigned
your petitioner would respectfully
[illegible] for the purpose
of being placed on the revised roll of the
Cherokee Indians and be there allowed to Share
in the distribution of funds and settlements of
lands in the Cherokee Nation by virtue of
their treaty and grounds upon which
my claim is based are as follows to wit
James M. Parentine who is the Son of
Nelson Parentine who is the Daughter of
Lucinda Brown who was the Daughter of Minnie
and Peter Brown who was an Indian
Blood from and my family is as follows
James M. Parentine 35
Sarah M. Parentine 31
Small C. Parentine 11
James M. Parentine 6
and in support of said claim your petitioner
here with Submits the affidavits depositions and
record evidence namely W. W. Houston my
Mother & Brother and G. W. Crain his cousin
and respectfully awaits the time place when my

Witness Hugh Carney
Ollie Mason

Lovelt Turnbull
his mark
James T. Turnbull

Personally appeared before me R H Hutton
a Notary Public the above Lovelt Turnbull
being duly sworn acknowledged the
above to be his signature and
for the purpose above mentioning

R. H. Hutton
Notary Public

State of Kentucky
County of Henderson } ss

Personally appeared before me
Jno T Moore a Notary Public in
and for the County and State aforesaid
James T Turnbull
said, and signed the foregoing
application in my presence and
acknowledged the same to be his
act and deed

Witness my hand and seal
of Office this Aug 13 1896

Jno T Moore
Notary Public

#3137

James T. Sweeney

vs

Cherokee

7

Rejected

Joseph P. Mullen

Atty

End

Notice's No. 2830

Commissioner's No.

Serial Application No.

Moyer C Foggin

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Moyer C. Loggins

Nation's No. 2830
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Jane Young through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

that applicants have not complied with the laws & treaties and are not entitled to become citizens of the Cherokee Nation

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 9 day of Sept. 1896.

NOTARY PUBLIC

Commission to the Five Civilized Tribes.

I, Vester Mullen, do solemnly swear that on the 6th day of September, 1896, I saw a package registered at the post-office at Fort Smith, Arkansas, addressed to Samuel Mayes, Chief of the Cherokee Nation, Tahlequah, Indian Territory, that Regis'd. Receipt No. 383 received from postmaster [illegible] to attached, is a receipt for said package which contained true copies of the application of Mose Rump, Tom Rope, Major Sagus and of the affidavits of J. J. Lyons, Vester Mullen in support of same.

Subscribed and sworn to before me, on this 6th day of September, 1896.

Jno. W. Sutton
NOTARY PUBLIC.

My Commission expires 14th of March, 1900.

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of ..... and.....children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which.....claim is based are as follows, to-wit:

That his name is Major C. Loggins; that he is 38 years of age; that his post-office address is Sallisaw, I. T. That he is an admixture of white and Cherokee and is at least one-fourth Cherokee blood. That he derives his Cherokee blood from his mother, the late Elizabeth Loggins. That the maiden name of said Elizabeth was Ritter and was the daughter of the late Everette and Jane Ritter. That the maiden name of the said Jane Ritter was Young, and was a Cherokee Indian by Blood, and was born in the County of _____, State of Tenn; That she immigrated to the State of Alabama about the year of 18....., where she died in the year of 1879; and that she was a Cherokee Indian by blood, and ~~spoke the Cherokee Indian language~~ That affiant has been taught by his mother, and other relatives, and by friends that the said Jane Young, affiant's grand-mother, ~~that the said Jane Young~~ was a Cherokee Indian; And affiant says that he himself remembers of having seen his grand-mother, and that she in her complexion, personal appearance, and habits indicated that she was of Cherokee Indian blood, and was at least three-fourths Cherokee. Affiant says that he remembers his mother, and that she in personal appearance, and manners indicated that she was at least one-half Cherokee Indian blood. That the said mother of affiant immigrated to ~~Missouri~~ Arkansas, and there died. That affiant came to the Indian Territory 1872, where he has lived continously ever since, except at short intervals.

That affiant intermarried with Dora E. Lodd, and by said marriage there were born, and are now living, the children here in below mention. That the said children are Cherokees by blood.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely: J.J. Lewis, Lady Mathers, John Ross, J. Smith, also the affidavits of Mary Lewis, Nancy A. Brown, B. Thompson, J.J. Riggs, Geo. Perse, ____ Gallahier, C.C. Baliss, J.P. Hall, Lewis Hall now in the hands of Cherokee authorities, at Tahlequah. Commissioner ~~to be used for same~~

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted.

Major C. Loggins
Applicant.

NAMES	AGES.	RELATIONSHIP
Major C. Loggins (applicant)	35	Husband anf father
Dora E. Loggins	26	Mother and wife
Lillie Loggins	9	daughter
Felix "	7	son
Walter "	5	"
Murry "	3	"

Indian Territory,
Sequoyah District.

Personally appeared before me, the undersigned, a Notary Public within and for the ..... and aforesaid ..... who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the 2 nd day of Oct 1896.

My commission expires on the ..... day of ..... Feb. 1898.

Notary

POOR ORIGINAL
BEST AVAILABLE COPY

North Carolina
Jackson County

Sallisaw C.N.

August 21st 1870

This day personally appeared before me W.C. Rogers a Notary Public William Young to me well known who deposes and says under oath that he is 64 years old his post office is Sallisaw C.N. that he is a full blood Cherokee Indian that he is a member of the Executive Council of the Cherokee Nation

Affiant further states that he is acquainted with Major G. Loggins and position & knows they are third cousin of mine their Grand mother Jane Miller whose maiden name was Jane Young was my first cousin and Jane Young was a Cherokee by blood and was born in Middle Tenn but died in Ala she had a daughter by the name of Elizabeth who married a White man by the name of Charles Loggins

the said Elizebeth Loggins
formerly Ritter was my second
Cousin by blood

Affiant further
states that he is acquainted
with the Children of the
said Elizebeth Loggins
whose names are as follows
Amanda Tiffee (nee Loggins)
Perry Loggins) Dillard & Pierce
and Madison C. Loggins that
they are Third Cousins of
mine and Cherokees by
blood and they are Entitled
to Citizenship in the Cherokee
Nation

witness H. H. Brewer } William + Young
J. C. Rogers } his mark

Subscribed & Sworn to
before me this the 31st day of
August 876

H. L. Rogers
Notary Public

My Com Expires
Oct 22 1877

In the matter of Major C. Loggins

for Admission to the Cherokee

Indian Territory
Northern Division

Major C. Loggins he 35
Ind. Ter. Sequoyah Dist.
he xxxxxxxx xxxxxxx xx
Cherokee

That he is an admixture of white and Cherokee; that he is at least one-fourth Cherokee blood. That affiant was born in Lamar County Alabama in the year of 1861. That he derives his Cherokee Indian blood from his mother, the late Elizabeth Loggins, who was born in the County of _____, in the State of _____, that her maiden name was Ritter, and was the daughter of the late Jane Ritter. That affiant has seen his mother, and has been raised with her, and he knows that her personal appearance, complexion etc. indicated she was at least one-half Cherokee blood. That the said Jane Ritter's maiden name was Young, and was a Cherokee Indian, and who was born _____ Co., Miss, in the year of 18... . That in the year of 18... she moved to..... County Ala. then the old Cheroke Nation, that shedied there at the age of 70 years. That affiant remembers of having seen the said the said Jane Young, his grand-mother, and that her complexion, habits etc. indicated that she was at least three-fourths Cherokee Indina; and that he has also been taught by his mother, and other relatives, and by friends who knew the said Jane Young during her life time that she was at least three fourths Cherokee blood. That affiant the said Jane Young intermarried in the year o 18.., and by said marriage there was born Elizabeth Loggins nee Ritter the mother of affiant. That the said xxxx Elizabeth was a Cherokee Indian, and was at least one-half Cherokee. That affiant has been raised with his mother, and that he knows that the complexion, and personal appearances of his said mother indicated that she was at least one-half Cherokee, as he has been taught, and as he verily believes.

That affiant intermarried with Dora E. Loyd, and by such marriage there were born and are now living the children mentioned in affiant's application, and who are Cherokees by blood.

he xxxxxxxxxx
xxxxxx xxxxxxxxxxx he his
Cherokee
xxxxxxx himself he Cherokee
xxxxx himself
Jane Ritter
Cherokee

Notary Public

IN THE CITIZENSHIP CLAIM

OF

MAJOR C. LOGGAINS and DELILA E. PURSE.

STATE OF ARKANSAS,)
(ss:
County of Sebastian.)

BE IT REMEMBERED, That this day personally appeared before me, H. A. Westmen, a Notary Public within and for the County of Sebastian, State of Arkansas, John Ross, who being first duly sworn, deposes and says:

My name is John Ross. I am seventy-three years old. I am a full blood Cherokee Indian, and so recognized. My postoffice address is Wauhilla, Indian Territory. I was well acquainted with Jane Young in the old Nation, now the State of Tennessee. She was a full blood Cherokee Indian. She moved from Tennessee to Alabama, and I knew her there. In Alabama she married a man by the name of Ritters. By this marriage she had one daughter, named Jane-- Jane Ritters. This daughter Jane Ritters married a man of the name of Loggains. They had a son and a daughter, named Major C. Loggains and Delila C. Loggains, who has married and is now named Delila E. Purse. I know them both to be Cherokees and are entitled to citizenship in the Cherokee Nation

WITNESS:

_____ _____

SWORN TO AND SUBSCRIBED before me this 6th day of June, 1895.

_____
Notary Public.

(My Com. expires Feb. 25, 97 .)

Phoenix Printing Company, Printers and Stationers, Muskogee, Ind. Ty.

United States of America,
Western Judicial District
ss

In the case of [illegible] claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me [illegible] within and for the [illegible] aforenamed duly authorized to administer oaths [illegible] to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is [illegible] J. Smith; my age is 70 years, my post office address is Tahlequah, I.T. I am a farmer by occupation. I am a citizen of the [illegible]

And affiant declares in relation to the above-named case as follows, to-wit: [illegible]

[illegible]

Witness:
[illegible]
[illegible]

The within ... of the affidavit ...
Subscribed ... sworn to ... before me ... this ... day of
... November ... A.D. ... of ...

United States ... Western District of Arkansas ss.

I, ... Clerk of the said ... Commissioners of the United States Circuit Courts within and for the District aforesaid, do hereby certify that the foregoing and the within and ... annexed ... is a true and literal copy of the original ... exhibited to me at ... signed ... and ... this twenty-fifth day of November 1874.

... Clerk.
United States ... Commissioners.

Phoenix Printing Company, Printers and Stationers, Muskogee, Ind. Ter.

United States of America,
ss

In the case of [illegible] claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me [illegible] within and for the [illegible] aforenamed duly authorized to administer oaths [illegible] to me [illegible] personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is [illegible] my age is [illegible] years, my post office address is [illegible]. I am a [illegible] by occupation. I am a citizen of the [illegible]

And affiant declares in relation to the above-named case as follows, to-wit:

[illegible]

Witness [illegible]

United States of America } ss.
Western District of Arkansas.

I, William H. Rossum a Commissioner of the United States District Court, within and for the District aforesaid do make Oath that the annexed and the within and [illegible] is a true and [illegible] the original as exhibited to me at Fayetteville this 15th day of November 1874.

W. H. Rossum
United States Commissioner

Phoenix Printing Company, Printers and Stationers, Muskogee, Ind. Ter.

United States of America,)
) ss.
)

In the case of [illegible] claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me [illegible] within and for the [illegible] aforenamed duly authorized to administer oaths [illegible] to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is [illegible]. my age is 63 years, my post office address is [illegible]. I am a [illegible] by occupation. I am a citizen of the [illegible]. And affiant declares in relation to the above-named case as follows, to-wit:

[illegible]

United States of America, Western District of Arkansas, ss.

I, [illegible], Deputy Clerk and Ex-officio Commissioner of the United States District Courts, within and for the District aforesaid, do hereby certify that the foregoing and the within one page of [illegible] is a true and literal copy of the original as Exhibited to me at Fort Smith C.N. this [illegible] day of November A.D. 1884.

[illegible]
Ex-officio Commissioner

#3129

IN THE MATTER OF

Major C. Soyginn

Petition and Memorial

FOR

CITIZENSHIP

In the Cherokee Nation, I. T.

FILED
JUN 7 1906
A. S. McKENNON
CLERK

Rejected

Joseph B. Mullen
Atty.

End

3167

Nation's No. 2

Commission's No.

In re Application of

Demurrer and Answer.

23

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. 9578

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at SOUTH McALESTER,

Registered Letter / Parcel No. 207 Rec'd Sep 4 1896 189

of J. T. Mullin

addressed to Samuel Mayes
Tahlequah I.T.

M. A. Potts P. M.

UNITED STATES OF AMERICA,

Indian Territory,

CENTERAL District

WILLIAM YATES being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of Mrs Mary Potter postmaster at South McAlester Indian Territory to Samuel Mayes Principal Chief Cherokee Nation, a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission to citizenship in the said Cherokee Nation of Petition of Idema Seybold, for citizenship in the Cherokee Nation by blood, and affidavits of Idema Seybold, Joseph Bear and Adam A. Davis.

I further state that I hav e no interest in the prosecution of this case.

ied of all the evidence of affidavits depositions and recorded evidence, and of all papers &c hereto attached to be used in support of said petitions.

Subscribed and sworn to before me this [illegible] day of [illegible] 1896

Notary Public

Notary Public

No

APPLICATION OF

IDEMA SEYBOLD ... Et. Al.

—FOR—

Enrollment in CHEROKEE Nation

Filed on the day of 1899

Sec. U. S. Com. Five Civilized Tribes.

Attorney for Petitioner.

CAPITAL PRINT, South McAlester, I. T.

Notary Public.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians

Idema Seybold
PETITIONER,

vs.

Cherokee
NATION, Indian Territory
RESPONDENT.

APPLICATION FOR ENROLLMENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Idema Seybold ... John Seybold

was a Cherokee by blood and was duly enrolled by the proper authorities as such in the old Cher ... at ... now Tom ... ee,

and was allowed all the rights, privileges benefits and immunities of citizenship of the Cherokee Nation. Cherokee Indians to which said Cherokee John Seybold

was entitled as such citizen of the said Cherokee Nation or Tribe of Indians at the time of the death of said John Seybold

That petitioner ... is the ... of the said John Seybold

Petitioner further says that her post office address is Welch, Indian Territory, to-wit

Petitioner further says that her name is Idema Seybold and that she is 20 years of age and that she is the daughter of John and Amanda Seybold that Amanda Seybold's name is Welch, that said John Seybold was a Cherokee by blood and was a citizen of the Old Cherokee Nation and a member of the Cherokee Indian tribe and that said Amanda Seybold nee Welch was of Cherokee, Chickasaw and white blood, that said John Seybold was born about the year of 1825 in the state of Kentuckey and died in 18

Petitioner further says that she is one-half Cherokee and one-fourth Chickasaw and one-fourth white.

Petitioner in support of her ... herewith submits the affidavit of herself and.

That under the constitution ... Cherokee Nation ... the laws of ... Cherokee ... Cherokee ...

		years of age
		years of age
		years of age
		years of age
		years of age
		years of age
		years of age
		years of age
		years of age
		years of age

Wherefore, the premises considered, your petitioner prays that ... name ... with those of

[illegible] SS. Sequoyah's to wit

and Edna Sage [illegible] be enrolled and admitted to all the rights benefits privileges and immunities of other Indians in and to the Nation or Tribe of Indians in Indian Territory and your petitioners will ever pray

[illegible] PETITIONERS

The aforenamed petitioner [illegible] says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Petitioner

Subscribed and sworn to [illegible] this 11th day of August [illegible]

Notary Public

No [illegible]

APPLICATION OF

EDNA SAGE

For Admittance to the CHEROKEE Nation

Filed [illegible] 1902

[illegible]

Attorney for Petitioner.

CAPITAL PRINT. South McAlester I. T.

GENERAL
AFFIDAVIT OF INDIA SEYLICH.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Idema Seybold

FOR ADMISSION TO CITIZENSHIP IN THE CHEROKEE NATION.

~~Indian~~ United States of America
Central District
COUNTY OF Pickens | SS.

Before me the undersigned a Notary Public in and for the ~~County and State~~ aforesaid personally appeared Idema Seybold who, after being by me duly sworn, states That she is years of age and a resident of the State of Choctaw Nation and County of Tobucksey and post office address is South McAlester, I. T. that she is personally acquainted with the applicant for Citizenship of the Cherokee Nation. Affiant further states

How she and the applicant are related, and how long and where acquainted with them.

That she is the daughter of John and Amanda Seybold,, that sh is an admixture of white, Cherokee and Chickasaw Indian blood, that sh is one-fourth White, one-half Cherokee, and one-fourth Chickasaw blood

Affiant further says that she was born in McDonough County, Ohio, in 1870. That affiant and her mother moved from Ohio to Texas about the year of 18 and from Texas to the Indian Territory in 18 and that she is now living in Tobucksey County, Choctaw Nation, that sh derives her Cherokee blood from her father the late John Seybold, who affiant has been taught was born in Kentuckey in 1825 and who was a citizen of th Old Cherokee Nationand a member of the Cherokee tribe of Indians and who affiant has been taught by her parents was a full blood Cherokee Indian and who died about the year of 18 .

Affiant further says that her mother is an admixture of white and Chickasaw blood.

Affiant further says that she has been seeking her rights to Cherokee citizenship for the past several years, that she is an unmarried person.

Affiant further states that she has known the said for the past years and that she has been and is recognized by her neighbors acquaintances and the public generally as having Cherokee blood and that the complexion and physical appearance of the said Affiant is evidence that she has Cherokee Indian blood and descent. Affiant further states that she has read the foregoing statements and knows what is herein contained and knows of the family of the said John Seybold she believes the said herself to be a descendant by blood of the Cherokee Indian tribe and is a descendant of the said John Seybold.

Subscribed and sworn to before me this 14th day of August 1896

My Commission expires May 15, 1900

Notary Public

Benedict Affidavit
Joseph Bear

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL of [illegible]
Dated [illegible], 190[illegible]
FOR ADMISSION TO CITIZENSHIP IN THE [illegible] NATION

STATE OF [illegible]
County of [illegible] } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Joseph [illegible] who after being by me duly sworn states That [illegible] and [illegible] and County of Tobuckcy and [illegible] personally acquainted with Ida [illegible] Dey Kaled [illegible] Citizenship in the Choctaw Nation. And [illegible]

[illegible]

[illegible]

[

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF [illegible] Seybold
FOR ADMISSION TO CITIZENSHIP IN THE Cherokee NATION.

State of Indian Territory
County of Central district } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Adam A Davis who, first being by me duly sworn, states: That he is 68 years of age and a resident of the State of Ind Ty and County of Choctaw and postoffice address McAlister that he is personally acquainted with John D Seybold citizen Indian whose an applicant for Citizenship in the Nation. And that he [illegible] has been a resident of the Nation for [illegible] years last past.

I can say that I know of the said John Seybold and family and I can say that he was recognized as a Cherokee Indian in the neighborhood in which he lived and I can further say that the said Idema Seybold from her complexion looks to be one fourth or more Indian I have known of them for Several years and know nothing to the contrary

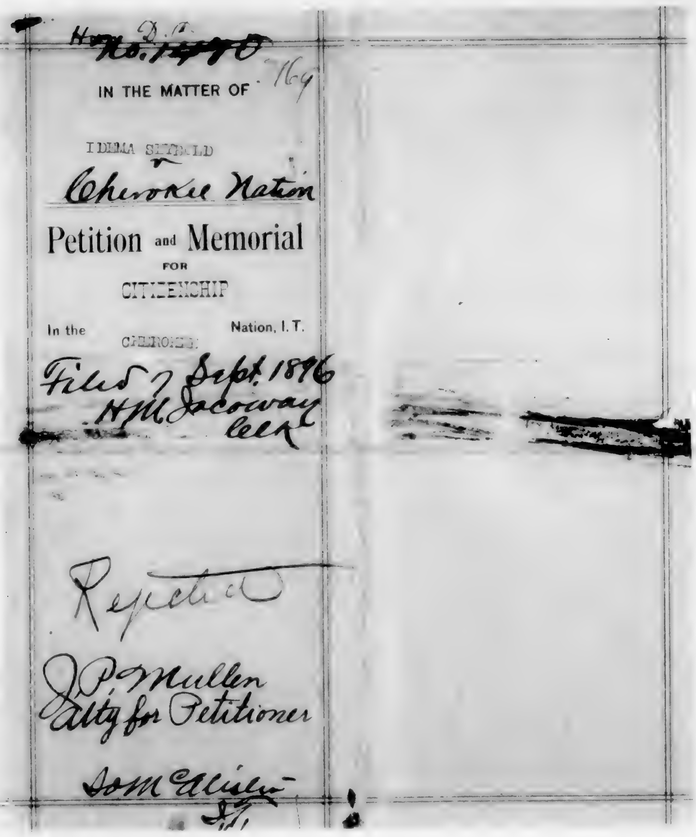
Affiant further states: That he has known the said John Seybold for the past 35 years and knows that he has been and is recognized by his neighbors as an Intermarried Citizen of the Cherokee Nation, and the children as mentioned, and is well acquainted with the said John Seybold and knows that he is a Cherokee by blood and descent. Affiant further states that he is well and personally acquainted with Idema Seybold and knows that she is the wife of the said John Seybold and knows that the said John Seybold is a recognized citizen of the Cherokee Indian by blood and [illegible] and that the said John Seybold

Adam A Davis

Subscribed and sworn to before me this 20 day of August 1901

C. Geralson
Notary Public

My Commission expires Sept 23, 1902



Hq. D. C.
No. 1490
169

IN THE MATTER OF

IDELLA SHIELD

Cherokee Nation

Petition and Memorial

FOR

CITIZENSHIP

In the CHEROKEE Nation, I. T.

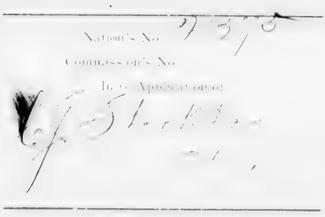
Filed 7 Sept. 1896
W. M. Jacoway
Clerk

Rejected

J. P. Mullen
Atty for Petitioner

Tom Ellison
Int.

End



Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

C. J. Starkfield

Nation's No. 9375

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

Jacob Brewer

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Ketchum & Hastings Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before ~~me this~~, the 12 day of Sept 1896.

NOTARY PUBLIC

UNITED STATES OF AMERICA,
Indian Territory,
CENTERAL District

WILLIAM YATES being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of Mrs Mary Potter Samuel Mayes postmaster, at South McAlester Indian Territory to Cherokee Principal Chief Nation.

a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission, to citizenship in the said Cherokee Nation of Petition of Cynthia J. Stockton, her children Josiah F. Stockton, Rozella J. Stockton, Florence E. Stockton, Dora J. Stockton and Isam N. Davis for citizenship in the Cherokee Nation by blood and affidavits of Cynthia J. Stockton

I further state that I have no interest in the prosecution of this claim.

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c hereto attached, to be used in support of said petitions.

William Yates
Affiant

Subscribed and sworn to before me this 4 day of [illegible] 1896

[illegible]
Notary Public.

and petitioner [illegible] pray that the same may be [illegible]
will ever pray, etc.

Attorneys for petitioner.

The aforenamed petitioner, [illegible] says that the statements
set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Petitioner.

Subscribed and sworn to before me, this [illegible] day of [illegible] 1896.

Notary Public.

No

APPLICATION OF

[illegible] et. al.

—FOR—

Enrollment in [illegible] Nation

Filed on the day of 189

Sec. U. S. Com. Five Civ. Tribes.

Attorney for Petitioner.

CAPITAL PRINT, South McAlester

APPLICATION FOR ENROLLMENT.

Before the United States Commission to the Five Civilized Tribes of Indians.

Cynthia J. Stockton Et. Al. PETITIONER,
VS.
[illegible] Nation Indian Territory RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION

Your petitioner Cynthia J. Stockton states that Amanda Barr was a Cherokee Indian by blood, was duly recognized by the proper authorities as such in the [illegible] and enjoyed all the rights, privileges, benefits and immunities of other Cherokee Indians by blood in the said Cherokee Nation or Tribe of Indians, and that the name of the said Amanda Barr appears or should appear upon the authenticated rolls of the said Cherokee Indians for the year [illegible] to-wit

That petitioner was born in Ten. in 1862 and has her post office address in Fort Gibson, I.T. that she is 34 years of age and she is the daughter of Thos. F. Duglass and Amanda Duglass, that petitioner is an intermarried citizen of the Cherokee Nation and at least one-quarter Cherokee blood and that she derives her Cherokee blood from her mother the late Amanda Duglass whose maiden name was McGlow, and who was the daughter of Job and Ju a Morro that the said Amanda of Juda Marrow Barr and that she was at least one-half Cherokee blood and she was born in Ala. in 1818 and died in 1870 and that Amanda Duglass was born in 1838 that she intermarried with T. C. Stockton, a white man in 1870, and by such marriage are the children whose names appear below were born and are now living, and she died in 1888 and afterwards she intermarried with John Davis and one child was born, Isham H. Davis Subsequently petitioner divorced and petitioner assumed the name of her first husband, Stockton.

That under the contitution, laws, usages and customs of the said Cherokee Nation or Tribe of Indians, and the laws of the United States and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Cherokee Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other Cherokee Indians by blood.

That there are now living legal descendants of your said petitioner [illegible] persons, as follows, to-wit

Josiah A. Stockton	a	Son	and	17 years of age
Rozilla A. Stockton	a	Daughter	and	15 years of age
Horace B. Stockton	a	"	and	13 years of age
Dora A. Stockton	a	"	and	7 years of age
Isham H. Davis	a	Son	and	5 years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age

Wherefore, the premises considered, your petitioner prays that [illegible] name, with those of

said descendants to wit

and be enrolled and admitted to all the rights, benefits, privileges and immunities of other Indians, as and to the Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence, namely

and petitioner respectfully asks that upon hearing hereof his application shall be heard and acted and petitioner will ever pray, etc.

Attorneys for petitioners.

The above named petitioner says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Petitioner

Subscribed and sworn to before me this 15 day of April 1896

Notary Public.

No.

APPLICATION OF

vs.

Enrollment to Nation

Filed on the day of 189

Sec. 1, Seven Five Civ. Tribes

Attorneys for Petitioner

CAPITAL PRINT, South McAlester

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Cynthia J. Stockton

FOR ADMISSION TO CITIZENSHIP IN THE Cherokee NATION.

STATE OF
COUNTY OF } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared [illegible], who, after being by me duly sworn, states That [illegible] is [illegible] years of age, and a resident of the State of [illegible] and County of [illegible] and [illegible] postoffice address is [illegible], that [illegible] is personally acquainted with Cynthia J. Stockton, who is an applicant for Citizenship in the Cherokee Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That she was born in Tenn. in 1867 and that she is an admixture of White and Cherokee Indian blood and that she ~~xxxxxxx xxx xxxxxx~~ is at least one-eighth Cherokee blood, and that she derives her Cherokee blood from her mother the late Amanda Douglass, whose maiden name was Morrow, and who was the daughter of John and Juda Morrow, that the maiden name of said Juda was Barr, and that she was at least one-half Cherokee blood and she was born in Alabama in 1818 and died in 1870 and that ~~xxx xxxxx~~ Amanda Douglass was born in 1838 that she intermarried with John Morrow, a white man in 1864 and by such marriage affiant was born in 1882.

Affiant further says that she intermarried with T C. Stockton in 1878 and by such marriage the following children were born ro-wit Josiah F. Rosella J. Florence E. Dora J. Stockton and at the death of said T. C. Stockton affiant intermarried with John Davis and by such marriage one child was born and is now living to-wit; Isham M. Davis age 3 years that Affiant has divorced from said Isham Davis and has taken on the name of her first husband to-wit; Stockton,

Affiant further says that the said Children are admixtures of white and Cherokee blood and are at least one-sixteenth Cherokee blood.

Affiant further says that she moved from Arkansas to to the Cherokee Nation, in 1886and that she has been residing in the Cherokee and Choctaw Nation continousit ever since.

Affiant further states. That she has known the said Cynthia J. Stockton for the past [illegible] years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee Indian blood and that the complexion and physical appearance of the said Cynthia J. Stockton indicate that she is of Cherokee Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Juda Barr he believes the said Cynthia J. Stockton to be a descendant by blood of the Cherokee Indian tribe, and a lineal descendant of the said Juda Barr.

Subscribed and sworn to before me this 18 day of August 1896

M. W. Mercy Jr.
Notary Public.

My Commission expires.

No. 1469

IN THE MATTER OF

(Cy. A.) J. Stockton

v

Cherokee Nation

Petition and Memorial

FOR

CITIZENSHIP

In the Cherokee Nation, I. T.

Filed 7 Sept. 1896

A M Scrivner

Clk

Rejected

So. McAlister

Atty

J P Mullen

Atty for Petitioner

End

Demurrer and Answer.

A. S. McKENNON,

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

Application of Isaac
S Bartram & C.
Chenango Indians
Colesville

Application for Enrollment

To the Honorable Henry L Dawes Commissioner to Investigate Archibald McKennan and Alexander B Montgomery United States Commissioners Authorized by Act of Congress of June 10th 1896 to investigate Claims of Citizenship in the Choctaw Nation

Your petitioner undersigned respectfully and Earnestly represents that she is part Choctaw Indian by blood

That she is a citizen by blood of the Choctaw Nation being a daughter of Sis. Brashears who was a daughter of Edward Brown who was part Choctaw Indian by blood.

Your petitioner only desires the allotment of the lawful proportion of land claimed in addition to Citizenship in the Choctaw Indian Nation and respectfully await the time when application shall be duly and carefully investigated before the Honorable Com.

My age is 35 years Post Office address is Pleasant Valley Canadian County & Nation with family consisting of as follows.

My children's name is May C Brashears Children's name are May Brashears and Edna C Brashears

Upon the Claims of Individuals and States
that the Name of Alexander Brown will be
found on the Cherokee Roll of the Chero-
kee Indians by blood taken within the
Nineteen Years of 1838
The same to be submitted to your Honorable
body for full and Complete investigation
and if found entitled as stated.
Pay to be stopped from the rights, grants
and annuities of the Cherokee Indians
Obliged &c,

Isham A Trantham

State of Kansas }
County of Lane } ss

I, Isham A. Trantham being first duly sworn according to law depose and say as follows: That I am the identical
1 Isham A. Trantham who made and filed the
a certain application for Allotment on the
Osage Ceded Lands.
2 That my age is 38 yrs. That my Post office
3 address is & will be all County, Kansas
and that I am a resident of said Lane County and
State.
4 That on the 30th day of May 1876 I did duly and
legally make & file my Declaratory Statement
to enter a tract of land described as the
North East quarter Section Twenty one in
5 That the following named Children were
born to me as lawful wedlock and are the
only Children under the age of twenty one years living
with me on said Claim, viz: Mary E. Trantham age 14 yrs and
Edna A. Trantham age 7 yrs and
are now living
6 That my wife May A. Trantham who made
no claim has died

Isham A. Trantham
May A. Trantham,

Subscribed and sworn to before me
this 13th day of August 1878
Chas Taylor, Clerk
by J. C. Fuller
D.C.

Ao
Appendix Vol
Dickson & Trenholm
Reynolds Book

orig

Rejected

State of Mo
County Green }

Thos. M. Pennell being first duly sworn according to law on oath says Age 75 years. Occupation Springfield Mo. County of Green & resident of City of Springfield and has been for a part of a year & that he now am & was & have been well & intimately acquainted with [illegible] & was for last [illegible] the said Alexander Brown. Also resided in the County of Monroe State of Missouri who was murdered in Iowa by Indians as stated in the County & community in which he lived & never denied the same.

Affiant further says that the said Alexander Brown spoke the Indian language mixing it with Spanish & was associated with them. Affiant further says that the said Alexander Brown & Joseph [illegible] were [illegible] engaged in [illegible] & was killed [illegible] in the County in [illegible] and says I have no marriage ties & am not interested in prosecution of said claim either directly or indirectly

Affiant

Thos M. Pennell

Witness

Subscribed & sworn to before me this 9th day Oct 1877. I certify that at the time of the making of the above affidavit [illegible] to the same. [illegible] is reputable & entitled to credit in any of the Courts of the United States. That I have no interest [illegible]

Esqr

[illegible]

J. S. Crosby. age 45 years. Res. Brighton Aroostook Co. Me. Resident of Brunswick for 42 years. Acquainted with [illegible] for 42 years. [illegible] descendant of Hernandez Duran

Attest

J. S. Crosby

[illegible]

All same as above except [illegible]

State of Ills
County of Stone } ss

I Lavina Langley, being first duly sworn accordingly to law on her oath says I am 54 years P.O. Address Ills. Stone County Mo. Resident Prairie Township Stone County Ills. for 26 years. well acquainted w[ith] Rhoda E Grantham for 54 years. That she is [illegible] resident of Alexander Brown. who resides in [illegible] of Monroe. Tennessee. who was cherokee Indian by [illegible] by community in which he lived never severed [illegible]. Alexander Brown spoke Indian language [illegible] Alexander Brown & Rhoda E Grantham. Recognized as part Cherokee Indian [illegible] own [illegible] day not at him no interest in claim

her
Lavina × Langley
mark

Subscribed & sworn before me this [illegible] of Sept. 1891. I certify that affiant is well known to me personally & entitled to credit & that oath would be taken in any courts of United States [illegible]

[illegible]

State of Alabama
County of Bibb ss

I J. T. Brown on oath say that
which appeared in the Bibb Blade
that I am J. T. Brown
and that upon Nathan Mathews the adjutant thereof

J. T. Brown

Subscribed and sworn to before me this 20th
day of [illegible]

[illegible]

[illegible]

To
Appellee &c
Nathan A Mathews
Bibb Circuit

Filed

Sept Term

Copy

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:

The undersigned, your petitioner, Nellie G Trantham Taylor for and on behalf of myself & Earl Taylor. Earl Taylor. Velma Taylor & Ray Taylor and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that She is Cherokee Indian by blood, deriving the same from Her mother Rhoda E Trantham who died her blood relation for mother Nellie Brown. Thereof a citizen by Alexander Brown.

whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1880, 1896, 1852, 1867 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files ~~her~~ proof in support of said claim, and respectfully awaits the time when ~~her~~ application shall be heard and tried.

Respectfully submitted,

Nellie G Trantham Taylor

Enrollment of family, with relationship attached, as follows:

Names.	Ages	Relationship
Nellie G Trantham Taylor	26	Mother. age 26
Earl Taylor	6	Son
Earl Taylor	5	Son
Velma Taylor	3	Daughter
Ray Taylor	1	Son

IN WITNESS WHEREOF I hereunto set my hand this 15 day of August 1896.

Nellie G Trantham Taylor

Printed by THE INDIAN CHIEFTAIN, Vinita, I.T.

United States of America, }
Indian Territory, }
Northern District. }

Willis G Trentham Taylor

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Willis G Trentham Taylor

Subscribed and sworn to before me on this the 13 day of Aug 1896.

D A Vinson

My commission expires Dec 2 98. Notary Public.

State of _____ Indian Ter. / Ind. Pror. / Ark. } **ss**

County of _____

_____, after being duly sworn states on oath

_____ age is _____ years; a resident and citizen of _____

county and state aforesaid; post office _____ and has the

following children born to

_____

_____

_____

_____

Who were born on the _____ day of _____ 18__; that _____ has not been married since the _____ day of _____ 18__; that _____ is a recognized citizen by blood of the Cherokee Nation.

_____

Witness

_____

Subscribed and sworn to before me this the _____ day of _____ 1896

_____

_____

I, _____ do certify,

that _____

to be the person _____ described in and who executed the foregoing affidavit, appeared before me this day in person and acknowledged that _____ executed the same as _____ free and voluntary act for the purposes therein mentioned.

Witness my hand and official seal this _____ day of _____ 1896

_____

My commission expires _____ 18__

to
application of
Nellie L Trantham
Taylor

Harrison
Ark

Rejected

State of Missouri }
County of Green } S.S.

I Dorothy M Pennell, being first duly sworn according to law on oath says. I am 75 years of age. I am a Resident of Polk Co Mo and have been for last past one year & that I now am & was & have been acquainted with Rhoda C Smithson & have been for last past 54 years & that she was a member of the Alexander Brown family & resides in the of the state of Tennessee & she was cherokee Indian & was so reputed in the community in which he lived & never denied the same.

Affiant further says, that the said Alexander Brown spoke the Indian language fluently & acquainted with him. Affiant further says, that the said Brown & Rhoda C Smithson have been recognized as such by blood from Childhood to the present day in the County in which they live.

Affiant further says I have no interest in the said claim & not interested in the same directly or indirectly

Attest
A. C. Lander

Dorothy M Pennell

Subscribed & Sworn to before me this 9th day Sept 1891.
I certify that the Affiant was fully made
acquainted with contents of the above Affidavit before
swearing & signing to the same. that Affiant
is Reputable & entitled to credit in the
Courts of the United States. that I have no
interest present or prospective

Com Expd Dec 17 92

Richard H Ellis

P. L. Swadley Age 45 years in
Brighton Pope County State Illinois
resident & Farmer by trade for 42 years
acquainted with Affiant 40 years
Reputable & good resident of
Alexander County

P. L. Swadley

Attest
Wm W Phillips

Subscribed & Sworn to before
J. A. Phillips. J.P.

Com Expd [illegible]

All same as above except [illegible]

State of Missouri }
County of Stone } S.S.

I Lavina Langly. being first duly sworn according to law on his O.th. says. age 88 years. P.O. Ktts Stone County Missouri Resident Prairie Township. Stone County Missouri for 26 years well requainted with Rhoda E Grantham for 54 years that she is lineal decendent of Alexander Brown. who Resides in County of [illegible] who was cherokee Indian by Blood as regarded by community in which he lived was universal claim. Alexander Brown. spoke Indian Language time I knew him. Alexander Brown & Rhoda E Grantham recognized as such by Indian all time I knew them from Childhood to present time [illegible] no interest

Attest—
L. G. Langly

Lavina Langly

Subscribed & Sworn to before me this 14th day of Sept. 1891. certify that affiant is well k[illegible] Respectable & entitled to credit & her Oath would be taken in any courts of United States. no interest—

(Seal)

[illegible] Notary

State of Arkansas
County of Pulaski } ss

I D W Perrin on oath
say that the within application and
affidavit are true copy of application taken
in case of Rhoda Le Traul Ex
parte Grant over of John Walton
her acty at that time

D W Perrin

Subscribed & sworn before me
this 20 day of Aug 1896
I approve both bond in my county
of Ark

Wm F Kramer

No
application &
affidavit of
Rhoda Le Traul Ex
parte
Grant over
of
John Walton
Clerk

Rec'd

Application for Enrollment

To the Honorable Secretary of Interior
Frank K. Lane
Washington D.C.

The undersigned respectfully petitions for the enrollment of [illegible] as a member of the Seminole Tribe of Florida, and in support thereof submits the following facts:

1. That petitioner was born [illegible] and is a resident of [illegible]

2. That petitioner is the [illegible] child of [illegible] and [illegible]

3. That petitioner's mother [illegible] was born [illegible] and is a resident of [illegible]

4. That petitioner's father [illegible] was born [illegible] and is a resident of [illegible]

5. That petitioner's mother [illegible] was born [illegible] and is a resident of [illegible]

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100. That petitioner's father [illegible] was born [illegible] and is a resident of [illegible]

POOR ORIGINAL
BEST AVAILABLE COPY

[illegible] from Body.
[illegible] 32 years
Residence Joplin Jasper County Missouri
[illegible]

My wifes name is Annis
Trantham aged 26 years. My Children are as follows
Dutch Trantham age 7 years
Franck Trantham age 5 years
Clyde Trantham aged 2 years

[illegible]

[illegible]
Willie [illegible] Trantham
Rena A Trantham

POOR ORIGINAL
BEST AVAILABLE COPY

William Martin

William Martin

Trantham

32

Joplin

Jasper County, Missouri

14 September 84

Rena Annis et al

3

Dartch and Frank + Coly

Annis Trantham

William Martin Trantham

Rena A. Trantham,

POOR ORIGINAL
BEST AVAILABLE COPY

State of Missouri } ss
County of Jasper }

Subscribed and Sworn to before me this 25th
day of August 1896 by William Martin
Trantham and Annis Trantham And that
the foregoing Petition and affidavits were
read over to Deponents before signing and
Swearing to the Same

E. S. Nolan Clerk
By [illegible] Deputy

POOR ORIGINAL -
BEST AVAILABLE COPY

State of Mo.
County of Stone } S.S.

I Lavina Langly being first duly sworn according to law on her outh says age 88 years. P.O. address Otto Stone County Mo. Resident Prairie township stone Co Mo. for 26 years. well acquainted with Rhoda E. Trantham for 57 years. that she is lineil decendent of Alexander Brown. who resided in County of Monroe Tennessee who was Cherokee Indian by blood so regarded by community in which he lived never denied same. Alexander Brown. spoke Indian Language time I knew him. Alexander Brown & Rhoda E. Trantham recognized as part Cherokee Indian in time knew him from childhood to present day. not a kin no interest in claim

her
Lavina × Langly
mark

Attest
D. G. Langly

Subscribe & sworn befor me this 14 day of Sept 1891. I certify that affinit is well known to me Reputable & intitled to credit & her oath would be taken in any court of United States no interest

Seal

J. Frantz Seaman
N. P.

FOR PERSONAL USE
BEST AVAILABLE COPY

State of Mo.
County of Green } ss.

I Dorthy M. Pennell being first duly sworn according to law on oath says age 75 years. P.O. Address Springfield Mo. County of Green. & Resident of City of Springfield and has been for last past one year & that I now am & was & have been well & intimately acquainted with Rhoda le Trantham & have been for last past 54 years & that she is the lineal decendent by blood of one Alexander Brown who resided in the County of Monroe State of Tennesee. who was Cherokee Indian by Blood & was so regarded in the County & community in which he lived & never denied the same.
Affiant further says that the said Alexander Brown spoke the Indian language during the time I was acquainted with him.
Affiant further says that the said Alexander Brown & Rhoda le Trantham have both been recognized as being full Cherokee Indian by blood from childhood to the present day in the county in which they lived.
Affiant further says she is a [redacted] of [redacted] & not interested in prosecution of said claim either directly or indirectly

POOR PERSONAL
BEST AVAILABLE COPY

Attest
A. C. Fender

Dorothy. M. her ✕ Pennell mark

Subscribed & sworn to before me this 9th day sept 1892 & certifies that & that she affinit. was fully made acquainted with contents of the above Affidavit after swearing & signing to the same that affinit is Respectible & entitled to credit in any of the Courts of the United States & I have no interest present or prospective

Com, Exps Apr 17/92

Richard. A. Hilds.
Notra Public

Seal

I. R. S. Swadley. age 65 years P.O. Brighton. Pope Co. State Md. President of Green County for 42 years acquainted with Rhoda. C. Trentham. for 40 years. Chevotie by blood descendant of Alexander Brown

R. S. his ✕ Swadley mark

Attest
Wal. W Phillips

Subscribed & Sworn to before
J. D. Phillips J.P.

Term Exp Nov 92

All same as above except as to date

No 1786

Abraham J.
William M. Franklin
Action for Injunction
&c. &c.

Defendants

Rhoda C. Franklin

vs

Cherokee
Nation

Filed Sept. 7
1886
T. M. Jaeway
Clerk
Refiled
D. H. Penn
Harman
Ark.

Refiled

Defendant's demurrer and motion to dismiss filed Oct 28 1886

Pratt Hoy
D. Clerk

No 1706

Brevet Lieut
Rifle C. Fusr
Fort
US
Chemung
Platsburg
Field & Staff C.
1796
Jan 17 M. Jeremy
Sept
Rifle Regt
D. N. Penrose
Harrison
Capt
Rifle Corps

ality at that time. *

[redacted]

Subscribed & sworn to before me
this 20 day of May 1896

Jno F. Roy
Com.

No
Affidavit of Publication
Ex Transcript

State of Missouri
County of Green } S.S.

I Martha M. Connell being first duly sworn according to law on oath says, age 75 years Res. Springfield Mo. County of Green Resident of City of Springfield and has been for last ten years and have been well & intimately acquainted with Thos. Grantham & have been for last 60 years and is the identical person [illegible] in the County of [illegible] Tennessee [illegible] Indian by blood & was so regarded in the community in which [illegible] & never denied the same.

Affiant further says that he was friendly & took the Union side during the [illegible] Affiant further says Grant Goodlett [illegible] recognized as being part Cherokee Indian by blood children of the present day in the County in which [illegible]

Affiant further says a niece by marriage she is of kin & not interested in prosecution of said claim, either directly or indirectly

Attest
N.C.

Martha M. E. Connell

Subscribed & sworn to before me this 9th day Sept 1891. I certify that I that the affiant was fully made acquainted with the contents of the above affidavit before same was signed by affiant is not interested in the event of this claim to credit in any of the courts of the United States. I have no interest present or prospective

Witness my hand Apr 17/92

Richard A Olds

Notary Public

R. S. Swadley age 65 years a resident of Pope County State of Ark. Pope County for 42 years. acquainted with Linda E. Grantham for 40 years. Cherokee by blood descendant of Thomas Rider

his
Wm W. Wilkins
mark

Subscribed & sworn to before me this 17th day April 1892

Richard A Olds

Notary Public

same as above except as to fact

State of Missouri
County of Stone } S.S.

I Lavina Langley being first duly sworn according to law on her oath says she is 82 years of age. She lives Stone County, Missouri. She is a resident of Prairie Township Stone County Missouri for 26 years well acquainted with [illegible] for 57 years that she is lineal descendant of Alexander Brown who resides in County of Monroe Tennessee who was a Cherokee Indian by blood and by community in which he lived never lived same [illegible] Brown spoke Indian language in [illegible] Brown & Rhoda C. Grantham. Recognized as part Cherokee Indian all times & Brown from S.C. to present day. not a dime no interest in claim

Lavina Langley

D. G. Langley

Subscribed & Sworn before me this 4th day of Sept 1907 [illegible] Notary Public. Not entitled [illegible] & her oath would be taken in any courts of [illegible] State no matter

Seal [illegible] County [illegible]

State of Delaware
County of [illegible] }

[illegible] on oath say that the [illegible] is a true copy of the [illegible] and that the same copy was served [illegible] on the [illegible] day of [illegible] 1870 [illegible] to John Hukins the party at that time.

[illegible]

Subscribed & sworn to before me this 20 day of [illegible] 1870

[illegible]

No
appeal lodged
Rhodes & Trimble
for adjudication

Rejected

See memorandum of
application
with

Rejected

State of Arkansas
County of Pope ss

Rhoda A Trantham being
first duly sworn according to law deposes
and saith
I am the identical Rhoda A Trantham
who made ~~filed~~ application for
certificate of Rhoda Indian Nation
for myself & family & am a resident
of Dam A Trantham Son
Martha M Trantham Daughter
Alice E Trantham "
William M Trantham Son
Edwin F Trantham Son
Florence M. Trantham daughter
Nellie A Trantham "

That said children were born and
on Lynch Creek ~~in~~ on now
living
That Schuyler Trantham died
[illegible] May 1899 & was duly married
& May be known who he was
& Post Office address
[illegible]
That he was born & raised on Lynch
Creek & his
Fg Trantham 12 years old

over

1 ~~Ezbon~~ Eben Lee Trueblood 7 years
y ~~o~~ e both same dining. Their oupe
mg P Trueblood is not born.

2. That Martha M Trueblood was on
the 13 day of July 1854 by Rev Joseph
married to Joseph L Spurr the Post office address
is Pierson Scott County Arkansas
that there was born unto them
Hallock one child
Mabel Spurr now living.

3 That Alice L Trueblood was on
the 1 day of [illegible] by Rev [illegible]
married to Rev [illegible] the
Post office address is Chandler
O. T.
That there was born unto them
Everett E Burns [illegible] now living
one child

4 That William M Trueblood was on the
14 day of Sept 1856 Lee Spurr married
to Jane Doty his Post office address
is Joplin Mo.
that there was born unto them
Ewell Lock ~~Hallock~~ Hallock Trueblood now 7 years
Frank Eaton now living Ewell Lock was 7 years

5th That Edna F. Trueblood is a U.S. citizen never has been married her P.O. address is Harrison Boone County Ark

6th That Florence M. Trueblood was on the 9th day of June 1879 married to Wm F. Martin her P.O. address is Harrison Boone County Ark that was born to her in Lampe Bullock two children Claude H. Martin Edgar Martin both living

7th That Nellie G. Trueblood was on the day of at Lampe Bullock County & State aforesaid married to John G. Taylor & her P.O. address is Harrison Ark that was born to her four children in Lampe Bullock Harold, Taylor Ernest Taylor Wilma Taylor Wm Taylor all living

That [illegible] was [illegible] P.O. address is [illegible] Boone County Ark

Attest
Ed. Middleton
F A Martin
D Brown

[illegible] for
Trueblood

I am a citizen of the United States more than
20 yrs, & over the age of 21 yrs, & am duly registered
& entitled to vote in any of the
counties of this State

D. H. Lewis

Sworn & subscribed before me this 2nd day of Oct 1896 Notary Public

Respectfully

D. H. Lewis

P.O. Address

Date

Respectfully

D. H. Lewis

P.O. Address

Date

State of _____ Indian Territory, Potawatomi, Oklahoma

County of _____ } ss

_____, after being duly sworn, states on oath

age is _____ years; a resident and citizen of _____

county and state aforesaid; postoffice _____ and has the

following children, to-wit:

_____

_____

_____

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:

The undersigned, your petitioner,

a for and on behalf of

and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that Cherokee Indian by blood, deriving the same from

whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years of the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files proof in support of said claim, and respectfully awaits the time when application shall be heard and tried.

Respectfully submitted.

Enrollment of family, with relationship attached, as follows:

Names	Ages.	Relationship
a		

IN WITNESS WHEREOF hereunto set hand this day of 1896.

Printed by THE INDIAN CHIEFTAIN, Vinita, I T

United States of America,
Indian Territory,
Northern District.

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Subscribed and sworn to before me on this the day of 1896.

My commission expires Notary Public.

Boy

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:

The undersigned, your petitioner,

for and on behalf of

and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that Cherokee Indian by blood, deriving the same from

whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 18 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files proof in support of said claim, and respectfully awaits the time when application shall be heard and tried.

Respectfully submitted,

Enrollment of family, with relationship attached, as follows

Names	Ages	Relationship

IN WITNESS WHEREOF hereunto set hand this day of 1896.

Printed by THE INDIAN CHIEFTAIN, Vinita I T

POOR ORIGINAL
BEST AVAILABLE COPY

United States of America, }
Indian Territory, }
Northern District. }

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Subscribed and sworn to before me on this the day of 1896.

My commission expires Notary Public

Indian Chieftain Print, Vinita.

State of _____)
) ss
County of _____)

_____ after being duly sworn states on oath

_____ age is _____ years; a resident and citizen of _____

county and state aforesaid; postoffice _____ and has the

following children to-wit

_____

_____

_____

_____

_____

_____

who were born to _____ in lawful wedlock and are my children as set forth in my application for citizenship in the Cherokee Nation.

_____

Witness

_____

Subscribed and sworn to before me this the _____ day of _____ 1896

_____

_____

I, _____ do certify,

that _____

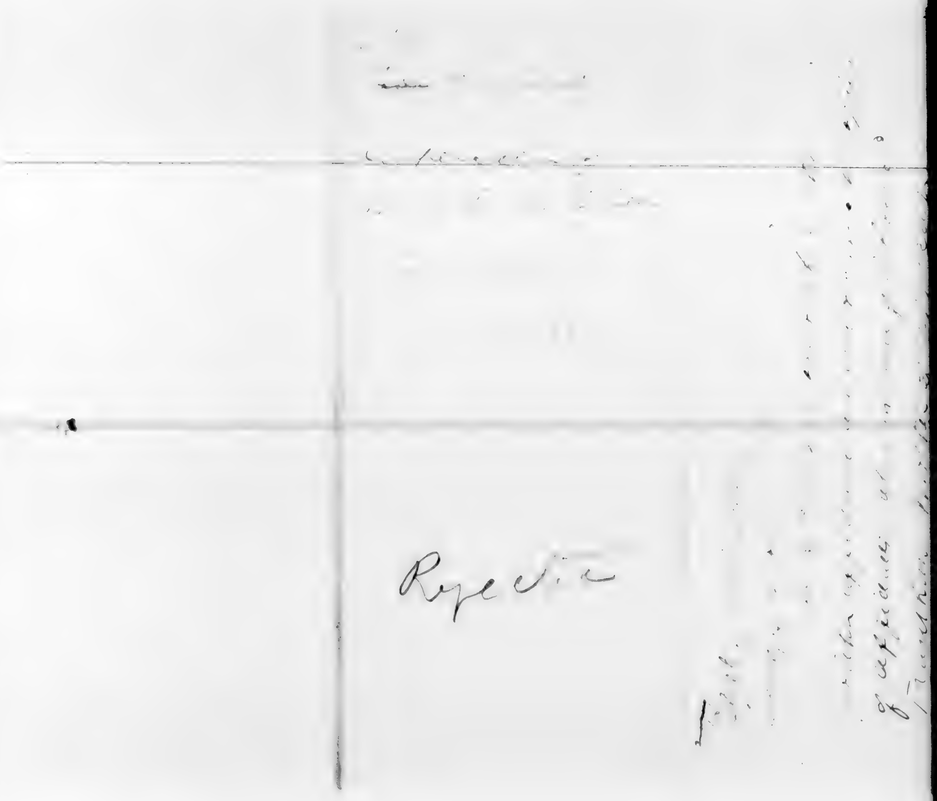
credible person and entitled to full faith and credit before any of the courts of the

state of _____

_____

My commission expires _____ 18 _____

POOR ORIGINAL
BEST AVAILABLE COPY



State of Missouri }
County of Lewis } S.S.

Dorcas M. Linnell being first duly sworn according to law on oath says, "I am 75 years of age. I live [illegible] County of Lewis [illegible] and has been for last past one year [illegible] am & was & have been well & intimately acquainted with [illegible] & have been for last past 54 years & that she is the lineal [illegible] by blood of one Hannah [illegible] who resides in the County of Monroe State Missouri & who was a Cherokee Indian by blood & was so Regarded in the County & community in which he lived & was [illegible]

Affiant further says that he said Hannah Lander was spoke the Indian language during the time I was [illegible] with him. Affiant further says that he said Hannah Lander was & is [illegible] have with them Recognized as being part Cherokee [illegible] from Childhood to the present day in the County in which [illegible]

Affiant further says I feel no interest in [illegible] said claim. either directly or [illegible]

Attest
A.C. Lander

Dorcas M. Linnell

subscribed & sworn to before me this 9th day of Sept 89,
I certify that the foregoing was fully made
known to the contents of the above affidavit
before me
by the same at the time
of signing & submitted to enter in any of the
courts of [illegible]. that I have no
interest present or [illegible]

[illegible]
[illegible]
[illegible]

[illegible]
[illegible]

[illegible]
Green County, for 42 years.
acquainted with the reputation & character for
truth & veracity & [illegible]

[illegible]
[illegible]

subscribed & sworn to
before me
J. A. Phillips, J. P.
Green Co. Nov 92

[illegible]

State of Missouri }
County of Clay } ss

[illegible] being [illegible] sworn [illegible] on [illegible] oath says age 88 years P.O. Address Kearney Clay County Missouri, Resident Prairie Township Clay County Missouri for 26 years. well acquainted with Linda Brown [illegible] years [illegible] is lineal descendant of Alexander Brown who resides in County of [illegible] who was Cherokee Indian by blood as regarded by community in which he lived [illegible] Alexander Brown spoke Indian language and Linda Brown Alexander Brown & Linda Brown Recognized as part of Indian all time Linda Brown from Childhood to present day not a claim no interest in claim

[illegible]

[illegible] sworn [illegible] 4th day of July 1907 [illegible] and entitled to [illegible] return in any courts of United States no interest

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:—

The undersigned, your petitioner, [illegible] for and on behalf of [illegible] and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians, and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that [illegible] Cherokee Indian by blood, deriving the same from [illegible]

whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years [illegible] the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files [illegible] proof in support of said claim, and respectfully awaits the time when [illegible] application shall be heard and tried.

Respectfully submitted,

[illegible]

Enrollment of family, with relationship attached, as follows

Names	Ages	Relationship
[illegible]		

IN WITNESS WHEREOF [illegible] hereunto set hand this [illegible] day of [illegible] 1896.

[illegible]

Printed by THE INDIAN CHIEFTAIN, Vinita, I. T.

United States of America,
Indian Territory,
Northern District.

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Subscribed and sworn to before me on this the day of 1896.

My commission expires Notary Public.

Indian Chieftain Print, Vinita

State of _____)
County of _____) **ss**

_____ after being duly sworn states on oath

age is _____ years; a resident and citizen of _____

county and state aforesaid; postoffice _____ and has the

following children to-wit:

_____

_____

_____

_____

_____

_____

Who were born to _____ in lawful wedlock and are my children as set forth in my application for citizenship in the Cherokee Nation.

_____

Witness.

_____

Subscribed and sworn to before me this the _____ day of _____ 1896

_____

_____

I, _____ do certify,

that _____

creditable person and _____ entitled to full faith and credit before any of the courts of the

state of _____

_____

My commission expires _____ 18 _____

State of Alabama
County of Bourne ss

I Florence M Trueblum
Muskin Davis sworn
according to law upon oath
that I am the identical Florence M
Trueblum mentioned in the
foregoing attached application
for citizenship in the United States Court

2 That

3 That my Post Office address is Trueblum
Bourne Co Ala and am a
resident of said town & State

4 That my maiden name was Florence
M Trueblum

5 That on the 9th day of Jan 1890 down
duly & Lawfully married

6 That we have had Eight children as
mentioned & recited since our
Marriage

7 That the following named
done in Kempful
Sullock

That there was born from our
Children Ten of my body.
Living

That both of said children are issue
of Florence M. Trantham Martin

Subscribed & sworn to before
me this 15 day of Aug 1924

D W Pinson
Notary Public

Com Exp June 2 1928

Instructions and Papers not to
go out of my office until
the same are
signed by me.

Dec 21 1876

To

Florence M Trentham

Marion

Commission

Appointed Dec 21 1876

Rejected

State of [illegible]
County of [illegible] ss

I Dorothy M Pennell. being first duly sworn according to law on oath. say[illegible] [illegible] P.O. address is. I am [illegible] Notary County of [illegible] & Resident of [illegible] of Springfield and have been for the last [illegible] that I now am & was & have been well & intimately acquainted with Rhoda C Grantham & have seen for [illegible] 54 years & that she is the lineal descendant by blood of one Alexander Brown. who resided in the County of [illegible] who was cherokee indian by blood & was so regarded in the County & community in which he lived & never [illegible] came

I affiant further says. that said Alexander Brown [illegible] language during [illegible] acquainted with him. I affiant [illegible] that the said Alexander Brown & Rhoda C Grantham were [illegible] as being Full Cherokee Indian by blood from [illegible] is the present law in the County in which [illegible] lived. I affiant further says I have no [illegible] she or [illegible] is not [illegible] in prosecution of said [illegible] either [illegible]

[illegible]

Subscribed & sworn to before me this 9th day, Sept 1841.
I certify that the affiant was fully made
acquainted with contents of the above affidavit
before swearing & signing to the same. That affiant
is respectable & entitled to credit in any of the Courts
of the United States. That I have no interest
[illegible] or prospective

Conn Emp Sept 1792

Richard A Elds
[illegible]

P. L. Swadley age 65 years. Pre. Rights
[illegible] resident [illegible]
for [illegible] years. [illegible] with Wade Counthams
for 40 years Chevalier of Wood resident of
[illegible]

[illegible]

Subscribed & sworn to before
[illegible]

State of Mo
County of Stone } S.S.

I [illegible] first duly
sworn according [illegible] on my oath says. I am
[illegible] Reside Stone County Mo.
Resident [illegible] Stone County Mo. for
the years [illegible] with Rhoda Countrans,
for 54 years. That she is lineal descendant of
Alexander Brown who resides in County
[illegible] who was cherokee Indian
by blood as regarded by community in which
he lived never married same. Alexander Brown
spoke Indian language fine I know him Alexander
Brown - Rhoda Countrans recognized as full
cherokee Indian all time I have been [illegible]
[illegible] day not a Man of interest
in [illegible]

[illegible]

Sworn to & Subscribed
before me this
14th day of Sept 89. [illegible]

Subscribed & sworn before me this
14th day of Sept 89. [illegible] that affiant
[illegible] & entitled to credit &
her Oath would be taken in any Courts of
[illegible] [illegible] no interest

Seal

J. Count Seamons
J. P.

State of California
County of [illegible]

[illegible]

[illegible]

[illegible]

Subscribed & sworn to before me this
[illegible] day of [illegible] A.D. 1854

[illegible]

Subscribed & sworn to before me this
[illegible] day of [illegible] A.D. 1854

[illegible]

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:

The undersigned, your petitioner, _____, for and on behalf of _____ and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that _____ Cherokee Indian by blood, deriving the same from _____ whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 18_____ the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files _____ proof in support of said claim, and respectfully awaits the time when _____ application shall be heard and tried.

Respectfully submitted.

Enrollment of family, with relationship attached, as follows:

Names	Ages	Relationship

IN WITNESS WHEREOF _____ hereunto set _____ hand this _____ day of _____ 1896.

Printed by THE INDIAN CHIEFTAIN, Vinita, I. T.

United States of America, }
Indian Territory, }
Northern District. }

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Subscribed and sworn to before me on this the day of 1896.

My commission expires Notary Public.

Rejected

State of Missouri
County of Green
On this [illegible] day personally came before me, being first duly sworn according to law, [illegible] aged [illegible] years, P.O. Address Springfield Missouri. [illegible] and who on oath states that he was married to [illegible] and that she was the lawful widow of [illegible] who served in the [illegible] Regiment of [illegible] Volunteers in the war of the Rebellion, that [illegible] was discharged at [illegible] and that [illegible] is

Subscribed & sworn to before me this 9th day Oct. 92.

I certify that I did not see the deponent [illegible] the above affidavit before swearing it as I came to the same that deponent is reputable & entitled to credit in any of the courts of [illegible] State. That I have no interest [illegible]

[illegible]

Form Eff Nov 92

[illegible]

[illegible] aged about 42 years P.O. Brighton Sworn & says, that deponent [illegible] Sussex County for 42 years, acquainted with Rhoda & Grantham for 40 years. Cherokee my [illegible]

[illegible]

[illegible]

Form Eff Nov 92

All same as above except [illegible]

State of Missouri

County of [illegible]

I [illegible] being [illegible]
accordingly [illegible] on my oath says [illegible] 88
P.O. [illegible] Stone County [illegible]
Prairie Township, Stone County Missouri for
24 years, well acquainted [illegible]
for 54 years that she is lineal descendant of
Alexander Brown, the Indian in [illegible]
Tennessee, who was Cherokee Indian by blood as
Regarded by community in which he lived, never
denied same, Alexander Brown, spoke Indian
Language fine I knew him, he [illegible] known
Rhoda Armstrong, recognized as pure Cherokee
Indian all time I knew her from Childhood
to present day not a kin no nearer [illegible]

State of
County

Subscribed & sworn before me this
14th day of Sept 189. I certify that I know [illegible] is
well known in my [illegible] & reliable [illegible]
& her oath would be taken in any courts of
United States. no interest

(Seal)

I [illegible]

End

3172

Nation's No. 3119

Commission's No.

In re Application of

Joseph Brandau

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Joseph Boudinot

Nation's No. 3117

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject-matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the applicant has not, in his petition, set forth facts sufficient to show that the applicant is entitled to citizenship.

Respondent, for answer to said petition, and each and every allegation therein contained, for answer to said application, says that Jacob Franklin through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has never been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as now located and defined, that his name does not appear on any of the rolls of the said Nation, that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation or Indian Territory, as far as he has heard.

Having fully answered, said respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hutchings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

No. 1752

Jos. Brandon

vs.

Cherokee Nation.

Filed Sept 7, 1896

H. M. Jacoway

Clerk.

Refiled

Jos. Brandon

Harrington

Trust

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Cherokee Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this

Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfullly makes the following statement of the ground of Application, to wit:

That

who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this Application for Cherokee Citizenship by blood and respectfully asks you Honorable Councilors that be admitted to all the rights of Cherokee citizens in the Cherokee Nation in lands and funds.

And respectfully waits the time when Application shall be truly heard and tried. Respectfully submitted

Age years. Postoffice

Family, with their relationship attached, is as follows.

No.	Name.	Sex.	Age.	Relationship.

In witness of which Application, I hereunto set my hand on this the day of September 1896

Joseph Bird Stand Brandon

Subscribed and sworn to before me this 2nd day of ~~October~~ September A. D. 1896

Isaac Benefield Notary Public

AFFIDAVIT OF WITNESS.

State of _____ }
County of _____ }

BEFORE ME, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared [illegible] who after being by me duly sworn, states that [illegible] is [illegible] years of age, and is a citizen of [illegible] County and State of [illegible] and is personally acquainted with [illegible] who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person [illegible] represents [illegible] self to be in [illegible] of the Cherokee Nation, and that the said [illegible]

Affiant further states that he has known the said Mahulat [illegible] for the past [illegible] years, and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Mahulat is of Indian blood. That from the above facts and circumstances, and from statements made to affiant by the said Mahulat affiant states he has every reason to believe, and does believe, that the said Mahulat is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the Cherokee Nation, I. T.

[illegible]

Subscribed and sworn to before me this 1st day of September A. D. 1896, and I further certify that I am well acquainted with the said [illegible] and know him to be a person of credibility and of truth and veracity.

[illegible] Notary Public.

My Commission expires on the 12th day of January 1899.

POOR ORIGINAL
BEST AVAILABLE COPY

AFFIDAVIT OF WITNESS.

State of [illegible]
County of [illegible]

BEFORE ME, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared [illegible] who after being by me duly sworn, states that [illegible] is [illegible] years of age and a resident of [illegible] County and State of [illegible] and that [illegible] is personally acquainted with [illegible] who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person [illegible] represents himself to be in [illegible] application for citizenship in the Cherokee Nation, and that the said [illegible]

[illegible]

Affiant further states that [illegible] has known the said [illegible] for the past [illegible] years, and knows that [illegible] is and has been recognized and treated by [illegible] neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said [illegible] is of Indian blood. That from the above facts and circumstances, and from statements made to [illegible] by the said [illegible] affiant states [illegible] has every reason to believe, and does believe, that the said [illegible] is of Cherokee Indian blood.

Affiant further states [illegible] has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the Cherokee Nation, I. T.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] A. D., 1896, and I further certify that I am well acquainted with the said [illegible] and know [illegible] to be a person of credibility and of truth and veracity.

[illegible] Notary Public.

My Commission expires on the [illegible] day of January 1898

End

Nation's No. 2425

Commissioner's No.

In re Application of

Mary F. Allison
et al.

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Mary F. Allison et al

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, of truth, to show that the applicant is entitled to citizenship.

Respondent not waiving his above and demurrer but insisting upon the same for answer to said application, says that

Betsy Walkin

through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

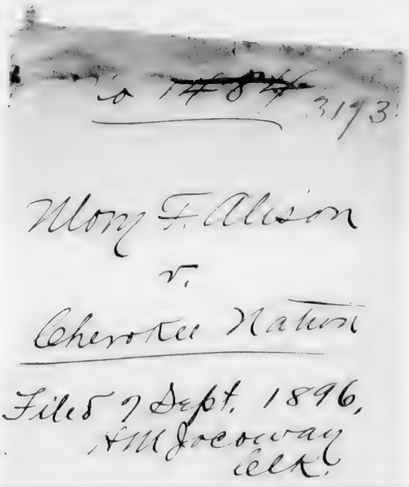
By Hastings & Hutchings & Bow and X Attorneys.

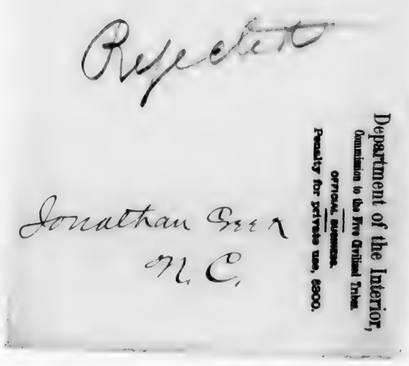
John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC


3193
Mary F. Allison
v.
Cherokee Nation
Filed 7 Sept. 1896,
A.M. Jacoway
Clk.


Respected
Jonathan Gray
N. C.
Department of the Interior,
Commission to the Five Civilized Tribes.
OFFICIAL BUSINESS.
Penalty for private use, $300.

AFFIDAVIT OF WITNESS.

Mary D Allen
Cherokee Nation

I, [illegible]

[illegible] County and State aforesaid, Personally
[illegible] to me well known, who, being by me first duly sworn, states That [illegible]
[illegible] and County of Swain and
[illegible] is personally [illegible] well acquainted with [illegible] for applicant citizenship as a Cherokee [illegible] Affiant further says that She knows that
[illegible] She is a daughter
of Mary Woody and of Polly Woody
Polly Woody was a daughter of John
Featherwood who was a son of Edward
Featherwood. Edward Featherwood
was a Cherokee of Ruby
Walker a full blood Cherokee
Indian. [illegible]
[illegible]

Affiant further states That She has known the said Mary D Allen for a period of [illegible] years and knows that She has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee Indian blood, and that the complexion and physical appearance of the said Mary D Allen indicate that She is of Cherokee Indian blood and descent. Affiant further says that from the above facts and circumstances and from what he has heard and knows of the said Mary D Allen he believes the said Mary D Allen to be a descendant by blood of the Cherokee Indian tribe.

Rhoda Ann Gibson
Affiant

Subscribed and sworn before me this 31 day of August 1906

T Robinson
Notary Public

My Commission expires [illegible] Ex officio Justice of the Peace
Swain County N C

No. 10.—PROBATE. CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY. Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA,

Surry County. } ss.

The foregoing Certificate of J. P. Robinson, a Justice of the Peace of Surry County, is adjudged to be correct; and I, J. R. Bryan, Clerk of the Superior Court of said County, do hereby certify that J. P. Robinson was, at the time of signing the foregoing certificate, a Justice of the Peace in and for the County of Surry, and State of North Carolina, and that [illegible] are the proper Handwriting.

In Witness Whereof I hereunto subscribe my name and affix my official seal, this 15 day of Sept.

A. D. 1860

J. R. B.

Clerk Superior Court.



AFFIDAVIT OF WITNESS.

Witness

Applicant ..... Nation

STATE OF .....)
COUNTY OF .....)

..... of the County and State aforesaid. Personally ..... who ..... age, ... duly sworn ..... That ..... is ..... and ..... and County of ..... and ..... who ..... an ..... applicant citi- ..... Nation ..... States. Witness ..... that he knows about ..... blood .....

Also personally appeared before me ..... who ..... that ..... known the said ..... for ..... that ..... has been and is recognized by ..... as ..... Indian blood and that ..... and that ..... Witness further says that from the above facts and ..... and from what he has heard and knows of the said ..... he believes the said ..... to be a descendant by blood of the ..... Indian tribe.

Subscribed and sworn before me this ..... day of ..... 1906.

My Commission expires ....

Application for Enrollment
in the Cherokee nation of Indians

To the Dawes Commission
A. H. Allison for his wife
Mary. F. Allison
Makes application to be admitted
and Enrolled as a Citizen of
the Cherokee nation a tribe of
Indians in the Indian Territory
and in support of said application
respectfully alleges and states
your applicant is a Cherokee
Indian by Blood and asks
to be Enrolled on the rolls
of the Cherokee Nation or tribe
of Cherokee Indians I am a
Daughter of. Wm L Woody a son
of Polly. Woody a daughter
of John Featherwood. John
Featherwood was a son of
of Edward and Elizabeth
Featherwood Elizabeth
Featherwood was a daughter
of Riley Walker a full
Blood Cherokee Indian
recognized and enrolled
as Cherokee on the Roll of 1835

My age is 37 years
Post-office is Johnathan
Haywood County, N. C.
Where for your applicant prays
that she with her family be placed
on the roll of the Cherokee
Tribe or Nation of Indians
in the Indian Territory
and asks said Dawes
Commission to admit and
and Enroll this applicant
as a member or citizen of the
Cherokee nation in the Indian
Territory.

The names and ages of my children
are as follows:

Lucius	Son	Age	16 years
Lucian	"	"	14 "
Jarvis	"	"	12 "
Chandler	"	"	10 "
Marvin	"	"	8 "
Lowery	"	"	6 "
Alitha	daughter	"	6 "
Hattie	Son		4 "
Tommy	[illegible]		1 year

Mary F. Allison

Sworn and Subscribed to before me on
this 1st day of Sept 1896. Witness my
hand and Official Seal.

J. P. Sorrell
Clerk Sup. Court

End

Nation's No. [illegible].
Commission's No.
In re Application of

[illegible]

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

No. 1629
Expunto
v. Elizabeth Smith

Application for
Citizenship by
Cherokee Nation

Filed Sept 7 1896
A. S. McKennon
Com'r

Rejected

Edmund B Sorrell
Dumpling
N. C.

State of North

REGISTRY RECEIPT.

Post Office at Murphy N C

Registered Letter / Parcel No. 74 Rec'd Sept 3 1896

of E B Norvell

one letter

addressed to Principal Governor or Chief Cherokee nation Tahlequah I T

MURPHY N.C. SEP 3 1896 M.O.E.

W L Mooney P. M.

State of North
Cherokee County:

I [illegible] do solemnly swear that on the 3rd day of September, 1896, I saw E. B. Powell, register a package at the post office in Murphy, Cherokee County North Carolina, addressed to the principal Governor & Chief of the Cherokee Nation at Tahlequah, Indian Territory, and that registry receipt hereto attached & numbered is a receipt for same:
I saw Mr. X. Mauney sign said receipt and knows that Mr. Mauney is the post master at Murphy Cherokee County North Carolina.
I further swear that said package contained a true copy of the application of Welilah Wachacha together with true copies of the affidavit of D. W. Dewease & E. R. Hunsucker in support of same. I am not related by blood or marriage to Welilah this applicant and have no interest near or remote in same, her application

Subscribed & sworn to before me this Sept 3rd 1896, and I certify that affiant is of good character and worthy of credit and belief

Clerk Superior Court for Cherokee
County North Carolina

State of [illegible]
County of [illegible]

I, W. Stevenson being duly sworn says that he knows Delinda Smith nee Hornick who is making application to become a citizen of the Cherokee Nation that the said Delinda Smith is the daughter of Lizzie Hordick & Hordick & that the said Lizzie Hordick is the daughter of Lena Hordick who is a daughter of Peggy Henson & Richard Henson that he knows Lizzie Hordick, Lena Hordick & knows Peggy Henson & Richard Henson. that all of them are Cherokee Indians by blood. the said Lizzie Hordick being a Cherokee Indian. Lena Hordick being one half Cherokee Indian and Peggy Henson being full blood Cherokee Indian. as affiant is informed and believes. that he has seen all the parties and he knows that the said Peggy Henson spoke the Cherokee Indian tongue or language and that she was known by their Indian blood. affiant says that the said Lena Hordick Peggy Henson were enrolled on the census rolls of the Cherokee Indians of 1880 1890 1896 1900 1907 and that they drew monies from the United States Government as Cherokee Indians as late as 1908. affiant is not related to said applicant. this affidavit is made without any hope or reward. affiants age is [illegible] years. affiant says that he was born in North Carolina affiant says that the said Lena Hordick and Peggy Henson their descendants have always been recognized as Cherokee Indians by blood. affiant further says that the said Lena Hordick & Peggy

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BEST AVAILABLE COPY
DOCUMENT GLUED

Henson and their descendants have always been recognized and treated by their neighbors and acquaintances and the public generally as Cherokee Indians by blood and Richard says that from the foregoing circumstances and the appearance of the Rena Worlick & Peggy Henson their descendants & connections with the said Rena Worlick & Peggy Henson he verily believes and has every reason to believe that they and their descendants are of Cherokee Indian blood. He said Richard Henson did not know any Indian blood in him

x his mark

Subscribed & sworn to before me this 29th day of September 96 and I further certify that the applicant is well known to me to be a man of good [illegible] and entitled [illegible]

J. L. M[illegible]

Justice of Peace in and for Cherokee County

North Carolina.
Cherokee County.

Being duly sworn says that he knows Dililah Smith (wife of W. Smith) who is making application to become a citizen of the Cherokee nation. That the said Dililah Smith is the daughter of Siggie Warlick & Warlick, and the said Siggie Warlick is the daughter of Rena Warlick who is a daughter of Peggy Henson & Richard Henson. That he knows Siggie Warlick, Rena Warlick & knows Peggy Henson Richard Henson, that all of them are Cherokee Indians by blood, the said Siggie Warlick being the Cherokee Indian, Rena Warlick being one half Cherokee Indian and Peggy Henson being full blood Cherokee Indian as affiant is informed and believes; that he has seen all of the parties and he knows that the said Peggy Henson spoke the Cherokee Indian tongue or language, and they show strongly their Indian blood. Affiant says that the said Rena Warlick and Peggy Henson were enrolled on the Census Roll of the Cherokee Indians in 1835, 1848, 1851, 1852, and that they drew money from the ~~Cherokee~~ United States Government as Cherokee Indians at that time. Affiant is not related by blood nor marriage to the said Dililah Smith applicant and has no interest near or remote in her application. The affiant is made freely without reward or the hope of reward. Affiant lives at 73 the post office Murphy Cherokee County North Carolina Affiant says that he can

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BEST AVAILABLE COPY
DOCUMENT GLUED

Peggy Runson and their descendants have always been recognized as Cherokee Indians by blood - Affiant further says that the said Rena Warlick + Peggy Runson + their descendants have always been recognized + treated by their neighbors and acquaintances and the public generally as Cherokee Indians by blood - and affiant says that from the foregoing circumstance and the appearance of the Rena Warlick + Peggy Runson their descendants + connections with the said Rena Warlick + Peggy Runson he verily believes and has been reason to believe that they and their descendants are of Cherokee Indian blood - The said Richard Runson did not have any colour

Richard Runson

Subscribed + sworn to before me this 2nd day of September 1851 and I further certify that the Affiant is well known to me and that he is of good character and entitled to credit +

Justice of Peace for Cherokee County North Carolina

State of North Carolina
Franklin County

I, D L Walls clerk of the Superior Court for Franklin County, do hereby certify that [illegible] whose name is signed to the foregoing paper writing attached to the affidavit of Khedidah Smith and the affidavit of [illegible] and [illegible] is now and was at the time of signing same a duly qualified and acting justice of the peace for Franklin County North Carolina at the time of signing same and that all of his official acts as such are entitled to full faith and credit, I am acquainted with the handwriting of [illegible] and believe his signature to said papers to be genuine. Witness my hand and official seal at my office in Louisburg this 24th day of [illegible]

Clerk of the Superior Court
Franklin County North Carolina

POOR ORIGINAL -
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DOCUMENT GLUED

UNITED STATES,
Indian Territory.

Application for Citizenship.

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 10, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned Delilah Smith makes this application for admission to citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to wit:

That she is the daughter of Elizabeth Warlick who was the daughter of Rebecca Warlick who was the daughter of Richard Henson dec'd and Peggy Henson his wife

the parent petitioner, primary ancestor, was a Cherokee Indian by blood and is duly acknowledged as one of the Cherokee Indians by Decree and from whom petitioner derives her Indian blood entitling her to citizenship in the Cherokee Nation.

That the name of said Ancestor is found to appear on the census rolls of the Cherokee Indians Made by and of the Cherokee Indians in 1835-1848. 1851. 1852, Applicant says that she has never abandoned her rights as a cherokee Indian and is now and always has been ready and willing to become a citizen of the Cherokee nation in the Indian Territory

That petitioner is 24 years of age, her postoffice address is Murphy N. C. Cherokee Co. and her pedigree, as well as Cherokee Indian blood, is as follows:

NAMES	AGE	RELATIONSHIP
J. H. Smith	48	Husband and head of family White
Delilah Smith	24	wife Applicant
Emma Smith	6	Child
Selina Smith	4	Child

Wherefore your petitioner prays that her name may be enrolled and she be admitted as a citizen of the Cherokee Nation in the Indian Territory

Delilah Smith
by Edmund [illegible]

STATE OF North Carolina, County of Cherokee

[illegible] 2nd day of Sept [illegible]

Notary Public for Cherokee County
North Carolina

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BEST AVAILABLE COPY

End

3175

Nation's No. 2399

Commission's No.

In re Application of

Mary Lee Smith

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Mary J. Smith et al — Nation's No. 2894

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Sintha Vaught through whom the petitioner claim to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

See case S. H. Vaughn et al
Indian No 952

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hastings & Brandon Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the 22 day of [illegible] 1896.

NOTARY PUBLIC

#1637

Mary J. Dilsmith
vs
Chm Ala Nation

Filed Sept 7th 1896
A.S. McKennon
Com.

E. P. Williams
Wheeler Ark

Original

AFFIDAVIT.

STATE OF ARKANSAS,
COUNTY OF Madison } SS

In the case of Mary Jane Edwards, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me

C. B. Cunningham Notary Public

within and for the County of [illegible] State of Arkansas, aforenamed, duly authorized to administer oaths Isaac L Eason personally well known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: ; my name is Isaac L Eason my age is 77 years, my Post Office address is Huntsville Madison Co Ark I am a Farmer by occupation; I am a citizen of Madison County Ark and the affiant declares in relation to the above named case as follows, to-wit: I am personally and well acquainted with Mary Jane Edwards Cherokee Indian who is a Cherokee of Canada Creek who is a Cherokee of Petit Jean who was a Cherokee of Pumpkin Creek and Richland who was a Full Cherokee of Pumpkin Creek Ark
Mary Jane Edwards is a Cherokee Indian by blood

Subscribed and sworn to before me this 17 day of Sept 1902

C. B. Cunningham

Notary Public

My commission expires 1 day of January A.D. 1903

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF [illegible] } SS

In the case of [illegible], claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me [illegible]

[illegible], within and for the County of [illegible], State of Arkansas, aforesaid, duly authorized to administer oaths [illegible], to me personally well known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: [illegible]; my name is [illegible]; my age is [illegible], my Post Office address is [illegible]; I am a [illegible] by occupation; I am a citizen of [illegible] and the affiant declares in relation to the above named case as follows, to-wit: I am personally and well acquainted with [illegible] who is a [illegible] of [illegible] who is a [illegible] of [illegible] who was a [illegible] of [illegible] who was a [illegible] of [illegible] who was a Cherokee Indian by blood

Subscribed and sworn to before me this [illegible] day of [illegible] 1896.

[illegible]
Notary Public.

My commission expires [illegible] day of [illegible], A. D. 1898

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APPLICATION FOR CITIZENSHIP.

To the Honorable Dawes Commission, Muskogee I. T.

The undersigned, Mary Jane Illsworth, your petitioner, makes this, his application for admission to citizenship in the Cherokee Nation in accordance with all the Treaties, the Constitution and Laws of said Cherokee Nation and respectfully submits the following statements of facts for the grounds of his claim: that She is the daughter of Family Leader & the Grand daughter by Riley Ellis & the Great Grand daughter of Ellis Family Vaughan nee Benton who was a Cherokee by Birth

who, your petioner firmly believes, was a Cherokee Indian by blood, and that the name of said ancestor should be found to appear on the census rolls taken and made of Cherokees East of the Mississippi River in the years 1835-1848-1851 or 1852, and your petitioner respectfully awaits the time when his application shall be truly heard and passed upon; that the age of your petioner is 63 years; that Her Post Office address is Gore Okla. 1896; that Her family by virtue of Cherokee Indian blood consists of the following names, to-wit:

NO	NAME	SEX	AGE	RELATIONSHIP	REMARKS
1	Mary Jane Illsworth	F	63	Application	
2	Willis W.	F	1/12	Great Daughter	Cherokee

In Witness whereof I have hereunto set my this the 2 day of April 1896.

Mary Jane Illsworth

Subscribed and sworn to before me this the 2 day of April 1896

My commission expires the ... day of ... 1897

Intake Clerk

POOR ORIGINAL
BEST AVAILABLE COPY

End

Nelson's No. 9134

Commissioner's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Nation's No. 2111
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

C 1-0 —
Appointment
of
J. H. Warner
Duplicate

UNITED STATES INDIAN TERRITORY

FIRST JUDICIAL DIVISION/

BEFORE THE DAWES COMMISSION.

IN THE MATTER OF THE CHEROKEE
CITIZENSHIP OF SARAH J.PAYNE
AND HER DECENDANTS CHEROKEES
BY BLOOD.

AFFIDAVIT AS EVIDENCE.

William H.Payne of lawful age who being by me duly sworn deposes and says That my name is William H.Payne my age is 59 years My Post Office address is Chelsea I.T. I am the husband of Sarah J.Payne petitioner for citizenship in the above entitled case , That I have heard the petitioners petition read and I fully corroborate the same, that I was acquainted with J.D.Campbell in his lifetime, I have frequently heard him speak of his uncle Archie Campbell, who was always referred to as Cherokee by nativity, of his ancestors , and further saith not,

William H.Payne

Subscribed and sworn to before me this 25" day of August A.D.1896 and I hereby certify that in drawing the above affidavit the same was made in Duplicate and are identically the same.

W H Nobles
Notary Public
My com ex March 7" 1900.

(Copy)

To the Honorable National Council

Your Petitioner respectfully and earnestly represents that she is a Cherokee Indian by blood deriving the same from Arch Campbell who lived at Creek Path Alabama, whose name will be found on the "authenticated roll" of Cherokees by blood, taken in the years 1835, the same to be submitted to your Honorable Bodies for a full & complete investigation, and if found correct, as stated, to be granted all the rights, privileges and Immunities of the Cherokee citizen,

Signed — Sarah J Payne

name —	Sex -	age -	relation
Willie Payne	Female	26	Daughter married
Dora "	"	23	" "
Meek "	Male	21	Son single
Pinkie "	Female	18	Daughter "
Ryley "	male	16	Son "

Respectfully Submitted
Sarah J Payne

(over)

(Copy)

State of Missouri }
County of Vernon } ss.

Mrs Lizzie Bunkler of lawful age being first duly sworn deposes and says that she has known Mrs Sarah J Payne who is an applicant for citizenship in the Cherokee Nation for many years and that she knows her to be the only daughter of J.D. Campbell who was a near blood relative of Archis Campbell of Creek Path Alabama, and whose name appears on the rolls of the Official Census the Cherokee Indians taken in 1835

And that she was personally acquainted with the afore said J.D. Campbell during his life time and that the affiant has repeatedly heard the said J.D. Campbell speak of the said Archis Campbell as being a near relative of his and that he was a Cherokee Indian,

And further deponent saith not

~~signed~~ Mrs Lizzie Bunkler

~~Subscribed~~ & ~~Sworn~~ to before me this ~~Aug~~ 4th 1893.

~~Seal~~ J.C. Murray Notary Public

my Commission ~~will~~ expires Jan. 10 1895

(over)

Copy

Jacob L. Payne

Ar. [redacted]

(Copy)

State of Missouri
County of Vernon } SS

Mrs Jamie West of lawful age being first duly sworn upon her oath deposes and says that she has personally known Sarah J Payne who is an applicant for citizenship in the Cherokee Nation, all her life ~~time~~ and that she knows her to be the only daughter of ~~Archie~~ D Campble who was a near blood relative of Archie Campble of Creek Path Alabama, and whose name appears on the Official rolls of the Cherokee Indians taken in 1835, and that she was personally acquainted with the said D. D. Campble during his lifetime and that affiant has repeatedly hear D.D. Campble speak of said Archie Campble as being a near relative of his, and that the said Archie Campble was a Cherokee ~~Indian~~ Indian and further deponent saith not

sign Jamie West

Subscribed and sworn to before me this 4th Day of Aug - 1893

Seal

C. Murray

My Commission will expire Jan 10 1895

(3)

over

I hereby certify that the within and foregoing (3) pages is a true, correct and complete copy of the record of the proceedings of the Cherokee Senate at Tahlequah N.S. in the case of Sarah J. Payne claimant for Cherokee Citizenship-

Given Hitchcock- assistant Clerk the Senate branch of the National Council of the Cherokee Nation August 21 1886-

I do hereby certify that the foregoing Senate transcript was certified that Given Hitchcock is the assistant Clerk of the Senate branch of the National Council and that the signature thereto was subscribed before me- and that I am well acquainted with the handwriting of said Given Hitchcock and believe the signature to the foregoing transcript to be genuine- and that the said Given Hitchcock was at the time of signing the foregoing transcript the assistant Clerk of the Senate branch of the National Council-

Witness my hand and official seal this 21st day of August 1886-

Commissioner

Copy

Sarah J. Payne

Ag'o

~~No. 51~~

Petition of
Sarah L. Paine
to
Cherokee Citizenship

Docket

Filed Sept. 4 - 1896,
A. S. McKennon
Clerk

Chairman

UNITED STATES INDIAN TERRITORY

FIRST JUDICIAL DIVISION.

BEFORE THE DAWES COMMISSION.

IN THE MATTER OF THE CHEROKEE
CITIZENSHIP OF SARAH J.PAYNE
AND HER DECENDANTS CHEROKEES
BY BLOOD.

PETITION.

Your petitioner respectfully represents and petitions,That her name is Sarah J.Payne ,That her Post Office address is Chelsea Indian Territory, That her age is 59 years , That she is a bone-fide resident in good faith of the Cherokee Nation said Territory, That she was born in Franklin County Kentucky, That she is a Cherokee by blood tracing her blood line on her Fathers side , That her Fathers name was J.D.Campbell that his Fathers name was George Campbell,and he had a full brother named Arch Campbell, That both these last named are and were duly enrolled and their names, and that of thair immediate decendants ,will be found upon the authenticated rolls of Cherokees by blood, taken and made from and including the years of 1835,to 1852,

Petitioner further states that her maiden name was Campbell, that she was the daughter of said J.D.Campbell, That she is the same Sarah J.Campbell mentioned in the affidavits of Samie West, and Lizzie Bunker, and herewith filed, That in November 1893 she filed an informal application for Cherokee citizenship before the Cherokee Council, and the same was never acted upon, That she has been unable to procure copys of all her proofs then filed, and has only been able to obtain copys of but two affidavits there used ,which she herewith submits VIZ:-Samie West and Lizzie Bunker as also the affidavits of Patrick Henry and of W.H.Payne,

That in December 1861, she was lawfully married to William H. Payne, at that time she was the widow of Samuel Blackburn and by whomshe had two children son and daughter , who are now living , VIZ:-Walter P.Blackburn, married whose wifes name is Frankie, no issue, Isora West, nee Blackburn, who has two children whose names are Bertha age 16ys, Lena age 14ys,

That as the fruits of her marriage with said W.H.Payne she has five children whose names and ages are, Willie Brittain,nee Payne, who has two children ,whose names are ,Minnie age I2ys, Ada age 8ys, Dora Langford nee Payne, who has one living child whose name is Ethel ~~xxx~~ age 3 ys, Meek Payne,single, Pinkie Lenwood, nee Payne who has one child,named Charles, age I year and Riley Payne single age 20ys,

That your petitioner came to and settled in the Cherokee Nation in the year of I893 firmly believing~~x~~ and knowing that she was a Cherokee by blood was then and still is entitled to full Cherokee citizenship as being the grand daughter of said George Campbell, who was and is enrolled as stated, and that under and by virtue of U?S.Treaty stipulations with the Cherokees ,and the constitution and laws of the Cherokee Nation, herself and her decendants above named are entitled to enrollment as Cherokees, and that she might become identified with the Cherokee tribe of Indians in good faith, and making a permenant residence in said Cherokee Nation Ind.Ter.

WHEREFORE:- Your petitioner prays that she and her said decendants be admitted to full and equal citizenship with all other native born Cheroke That she and they take have and receive all privelages, rights and immunities ,as such and that they be enrolled as Cherokees upon the roll to be created by said commission and such other and further relief as may seem equitable,

Sarah J. Payne

Sarah J.Payne who being by me duly sworn deposes and says,

That she is the petitioner above named, that she has heard the above petition read and knows the contents thereof, That the facts and statements ther~~e~~in made are true in substance and in fact ,except such as from their nature are not within her own knowledge ,and those she believes to~~x~~ be true and further saith not,

Sarah J. Payne

Subscribed and sworn to before me this 25th day of August A.D.1896

Notary Public

My comex March 7th I900.

- 10

Proof of Service

REGISTRY RECEIPT.

Post Office at Vinita I. T.

Registered ~~Letter~~ Parcel No. 249 Rec'd Sept 4, 1896

of Sarah H Payne

addressed to Saml H Mayes
Tahlequah I. T.

D M Frazier P. M.

Indian Territory Fuit Judicial Division

I do solemnly swear that on the 4th day of September 1896, I saw a package registered at the post office at Vinita I.T. addressed to Hon Saml Mayes Principal Chief Cherokee Nation Tahlequah Ind Ter.

That registry receipt No 249 received from the post master, hereto attached, is a receipt for said package, which contained true copies of the application petition of Sarah J Payne, and the affidavits of Jamie Wat, Lizzie Dunker, Patrick Henry & W H Payne in support of same,

Will & Tibbits

Subscribed & sworn to before me this 4th day of Sept A.D. 1896

W H Tibbits
Notary Public
My Com Ex Mar 7th 1900

OFFICE OF

D. Henry & Son,

General Merchants.

Chelsea, Ind. Ter., 189

End

Nation's No. 665

Commission's No.

In re Application of

Rachel Hayes

Demurrer and Answer.

FILED SEPT 7 1896.

A. S. McKENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Rachal M. Hayes

Nation's No. 6601

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that the ancestor through whom the petitioner claims to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Bandeen Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

Subscribed and sworn to before
Me at Tahlequah this 3rd day of
September 1896

L. L. Bayless Notary Public
Northern District I.T.

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Vinita, Indian Territory:

The undersigned [illegible] your petitioner, makes this application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of claim, to wit:

That is the daughter of one Malinda Simmons, and the [illegible] of one [illegible] and the [illegible] of one [illegible] who, your petitioner firmly believes, was a full Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom derived Cherokee Indian blood, entitling to citizenship in the Cherokee Nation, Indian Territory.

That ~~name not~~ the name of said ancestor should be found to appear on the Census Rolls, taken and made of Cherokees east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner respectfully awaits the time this application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is 56 years; that postoffice address is Tahlequah I.T. and that family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks.
1	[illegible]	[illegible]	[illegible]	Son	
2	[illegible]	"	30	"	
3	[illegible]	"	25	"	
4	[illegible]	male	32	Daughter	
5					
6					
7					
8					
9					
10					
11					

In Witness Whereof, I have hereunto set my hand at this, the day of , A. D., 189 .

Attest:

[illegible]

Subscribed and sworn to before me at Tahlequah I.T. this, the 16th day of August A. D., 1896

[SEAL]

S. L. Boyles Notary Public Northern District I.T.

AFFIDAVIT.

)
ss.
)

Indian Territory.

In the case of [illegible] claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable "Dawes Commission," authorized under act of the Congress of the United States.

Personally appeared this day before me [illegible] a [illegible] within and for the aforenamed, duly authorized to administer oaths [illegible] to me personally well known to be reputable and entitled to credit, and who being by me duly sworn, according to law, deposes and says: My name is [illegible]; my age is [illegible] years; My post-office address is [illegible]; I am a [illegible] by occupation; I am a citizen of the ~~Nation~~ [illegible] of the [illegible]

And affiant declares in relation to the above-named case, as follows, to-wit:

I am personally acquainted with Roland Simmons the claimant in this case. He was born in the Old Nation. He is a recognized Cherokee Indian by blood. I am related to Roland Simmons as follows: I am a first cousin to his father. I know from my own knowledge that Roland Simmons was born in the Old Nation, and I know that Malinda Simmons the mother of the applicant in this case, Rachel [illegible], who is a recognized Indian by blood, possessing the same status as her mother, said Malinda Simmons. Those names should be upon the Census Rolls of 1875.

Henry X Hawkins
his mark

Attest
J. E. Keler

Subscribed and sworn to before me this 16th day of August 1896

A. A. Bayley Notary Public
Northern District I.T.

Commission Expires July 19th, 1899

In the Case of
Rachel W. Hayes et al.
vs.
Cherokee Nation.

Claimants

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory }
United States } ss.
District }

Before the Commissioner
at Tahlequah, Cherokee Nation, Indian Territory.
In the case of Rachel M. Hayes – Wm. M.
Hayes – Thomas D. Hayes and Francis
M. Hayes vs. The Town Site Protectors &c.
for Citizenship as Cherokee Indians
by blood.

Rachel Came before me a Notary
Public in and for said District and
[illegible] sworn
to [illegible] and
[illegible] and who be-
ing by me duly sworn declared
in relation to the above
[illegible]

My name is [illegible]
My residence is [illegible]
And my Post-Office address is
[illegible] and my age
is [illegible] years—I am a citizen
of the Cherokee Nation [illegible]
[illegible]

POOR ORIGINAL -
BEST AVAILABLE COPY

3171

~~No 11494~~

Rachel Hays

vs

Cherokee Nation

Filed 7 Sept 1896

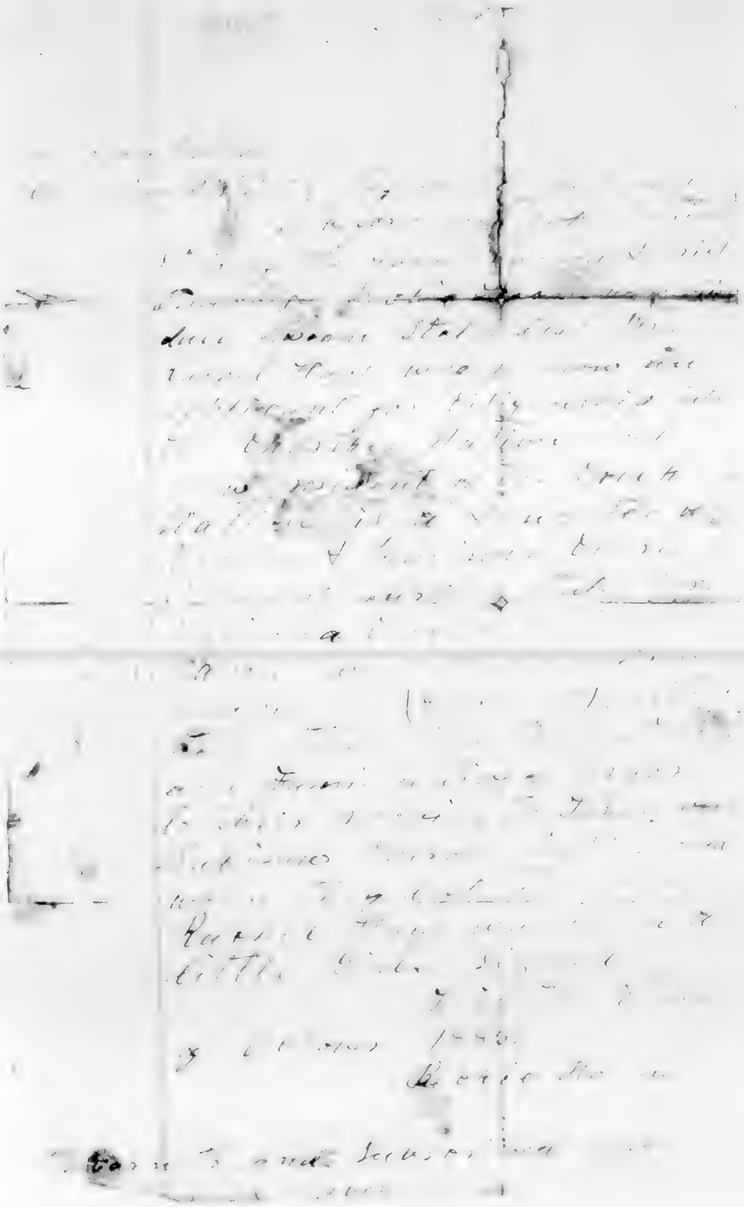
H M Jocoway

Clk

Sup. Ct. -

Lehigh

Ind. Ter.



3171

~~No 14194~~

Rachel Hays
vs
Cherokee Nation

Filed 7 Sept 1896
H M Jocoway
Clerk,

Pleadings

Lehigh
Ind Ter.

End

Nation's No. 2115

Commissioner's No.

In re Application of

Peter Gregg Slade

Demurrer and Answer.

FILED SEPT. 25 3
A. S McKENN
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Orlie Briggs

Nation's No. 2115

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy, no legal right, therefore, to hear and determine the same.

2nd. That the application and proofs aforesaid are not sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving the above and aforesaid demurrer, but insisting upon the same for answer to said application, says that George Adair through whom the petitioner claims to derive alien right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings Hutchings & Bankhead Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

Peter Grigas et al
-vs-
The Franken Motion
Original application
filed in [illegible]

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. [illegible].

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said petition, and for grounds to-wit says:

1st. That this Commission has no jurisdiction to try or settle the matters of this controversy, and to judge rights thereunder, and to determine the same.

2d. That the [illegible] to show and the applicant [illegible] entitled to [illegible].

Respondent further [illegible] to said application, says that

[illegible] the petitioner [illegible] right to [illegible] in the Cherokee Nation is to now [illegible] Cherokee Nation, since the [illegible] to the Indians [illegible] and [illegible], that his name does not appear on [illegible] Cherokee Nation, and that he, nor any of his ancestors now [illegible] in the Cherokee Nation [illegible] such.

Having fully answered, your respondent asks that [illegible] dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John L. Jones, Executive Secretary, Cherokee Nation, having been first duly sworn states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

NOTARY PUBLIC.

Yours &c. Barker

Yours &c.
[illegible]
Clerk

31

August

James H. Hale

J. H. Ward
W. H. Barrow
James Budd
W W Calley

W.B. Foster

IN TESTIMONY WHEREOF, witness my hand and seal of office, this the 18"
day of August 1881.

W.B. Foster
Ordinary of Walker Co, Georgia.
Ex officio clerk of said
Ordinary.

NO. 1740.

To the Honorable Commission of the United States th the Five Civilized Tribes of Indians.

Application of, and Evidence in Support thereof, Johnson Hembree, Isaac N. Hembree, James Hembree, Mary Hembree, now Mrs. Mary Owens, Sarah Hembree, now Mrs. Sarah Custis and Jane Hembree and their Children; and S. J. M. Baker, a son in Law of Isaac N. Hembree and his Children, to have their Names Enrolled upon the Roll of Citizenship, to be prepared by this Honorable Commission, as Members of the Tribe of Cherokee Indians.

Filed 7 day of September 1896.

A. W. Jacoway
Secretary

Rejected

Furman & Herbert,

Attorneys for Applicants.

INDIAN TERRITORY -:- SOUTHERN JUDICIAL DISTRICT.

Before me, the undersigned authority on this day personally appeared Jesse Hill, who, after being by me first duly sworn, on oath states; that he has this day registered a letter to Sam Mayes Principal Chief of the Cherokee Nation; that said letter was addressed to him at Talloquah, Indian Territory and contained a true and literal copy of the Application of Johnson Hembree, Isaac N. Hembree, James Hembree, Mary Hembree, now Mrs. Mary Owens, Sarah Hembree, now Mrs. Sarah Custis and Jane Hembree for themselves, and for the benefit of their children; and S. J. M. Miller, who married a daughter of Isaac N. Hembree, for himself and for the benefit of his minor children; to have their names enrolled upon the roll of Citizenship to be prepared by this Honorable Commission, as members of the tribe of Cherokee Indians.

Affiant further states that he knows, of his own personal knowledge, that said copy contained in said registered letter was a literal copy of the registered application, which is signed by Furman & Herbert, attorneys for applicants, and verified by W. M. Baker.

Affiant further states; that in said registered letter was included, attached to said application, a copy of an affidavit made by Caleb Hewitt, in the State of Georgia, County of Walker on the 17th day of August 1896, which was sworn to before M. G. Clement, Notary Public; and attached to the same was affidavits of James Cudd, J. H. Ward, W. H. Caley, and J. H. Parson, as to the reputation of said Caleb Hewitt for truth and veracity in the community in which he resided, and that said affidavits were made before M. G. Clement, Notary Public, Walker County Georgia; and that W. B. Foster, Ordinary of County of Walker in the State of Georgia certified that the said M. G. Clement is a Notary Public for Walker County Georgia, and certifying that Caleb Hewitt is a man-

ber County, Georgia; and certifying that Caleb Hewitt is a man of good character; and that his reputation in the community in which he lived for truth and veracity is good.

Affiant further states that said letter was registered at Ardmore, Indian Territory; and that he received from the Post-Master a receipt; that said ~~letter with~~ receipt aforesaid is hereto attached marked " Exhibit A" and made a part hereof.

Jesse Hicks

Subscribed and sworn to before me, this the 4th, day of September 1896.

James W. Mathers
Notary Public,
Southern District
Indian Territory.

REGISTRY RECEIPT.

Post Office at ARDMORE, IND. TER.

Registered Letter / Parcel No. 236 Rec'd SEP 5 1896 189

of Inman & Hebert

ARDMORE, IND. TER.

addressed to Sam Mays
Calemah P.O.
Inman Station

End

Nation's No. 1239

Commission's No.

In re Application of

[illegible], 1911.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

Indian T.

Received of W. J. Moore
Copies of the Application of Arena
mons and Copies of Affidavits
of Taylor Prince and Louis
Gaylor in Case of Arena
mons vs Cherokee Nation —
Application for Citizenship.
and that I requested same
to the Prin. Chief of the
Cherokee Nation

C. N. Phillips
Atty.

Richard Dodson
Cherokee Nation

Affidavit of
Hall Harrison

Recd June 1, 1846
Letter
Attorney Cobb's
Benjamin, Esq. D.C.

Indian Territory
Western District } Ss.

I, Hal Henson do
solemnly swear, that I am a recognized Cherokee Indian (by blood) & that Peggy Blair, she was my grandmother, married my grandfather D. H. Henson, and their son Bill Henson is my father. Peggy Blair or Peggy Henson was a full blood Cherokee Indian and recognized as such. That Nancy Parris, or Nancy Blair the daughter of Peggy Blair, afterwards Peggy Henson, Nancy Parris was the daughter of Peggy Blair and a man by name of Parris and always go on the name of Parris. She was my aunt half sister to Bill Henson ~~and step~~ step father. And I know her to be a Indian by blood.
Nancy Parris my aunt married John Madison and I know their son Richard Madison the son of Nancy Parris or Nancy Madison and know him to be an Indian by blood. And my cousin.
Peggy Henson (or Blair) my grandmother lived with my father

for several years before. She died and died about 10 years ago in Hamilton Co. Therefore I think Richard Dodson to be a Choctaw Indian by blood, being 1/4 Indian.

Hal Henson

Subscribed and sworn before me this 5th day of June, 1896

J. S. Lucas
Notary Public
My com. ex. 4, 21, 99

Richard Dodson
Choctaw Nation

Affidavit 58
Hal Henson

Richard Dodson
of
Cherokee Nation

Affidavit of
Caleb Freeman

Vian I.T. Dec. 29
(Keep this receipt)

Caleb Tenson after being sworn deposes and says. I am 24 years old and my P.O. is Vian I.T. I am a Cherokee Indian citizen a Cherokee by blood. I know Peggy Blair she was my grandmother, she was a cherokee Indian by blood. She was a full blood. and a citizen of this nation. I also knew Nancy Parris her daughter and know her to be an Indian. Nancy Parris was my aunt and an Indian by blood. I married John M. Dodson and I also know Richard Dodson their son and know he is a cherokee Indian by blood. After the death of Nancy Parris her mother Peggy Blair married Dick Tenson and his son William Tenson was my father. Nancy Parris or Nancy Dodson was raised by a U.S. Citizen in Giles Co. Tenn. and her son Richard Dodson came to this country
Witness J M Hess. with about 12 years ago. Caleb X Tenson
mark
Subscribed and sworn to before me this June 29/1896 John Dean Notary Public
My [illegible]

~~7870~~ 31

No. ~~1~~.....

Application of

[illegible]

Cherokee Nation

For Enrollment as a Cherokee Citizen.

To the Honorable Dawes Commission.

Filed by:

LUCAS & CRIDER
[illegible]

Filed Sept 5-, 1902
T. B. Ricaud
Comm

Rejected

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of [illegible] and [illegible] children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which [illegible] claim is based are as follows, to-wit:

[illegible]

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

[illegible]

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

[illegible]
Applicant.

NAMES.	AGES.	RELATIONSHIP.
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

Indian Territory,
~~[illegible] District.~~

Personally appeared before me, the undersigned, a Notary Public within and for the [illegible] and aforesaid [illegible], who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

[illegible]

Subscribed and sworn to before me this the [illegible] day of [illegible], 1896.

[illegible]
Notary Public.

My commission expires on the [illegible] day of [illegible], 1897.

GILLIHAN BYAR PRINT.

Via. Fort J. Sept 4. 1896

Received of W. J. Mayes
Copies of the application
of Richard Dodson, and
copies of affidavits of Caleb
Hanson, Harkness,
Geo. Hanson, and Thos
Hansom in case of
Richard Dodson vs. Cherokee
Nation for allowance.
And that I required said
papers to the Principal Chief of
the Cherokee Nation.

C. N. Phillips
P. M.

Richard Anderson

vs.

Theodore Katsin

Affidavit of

Geo Hansen

Indian Territory }
Illustrious Dist't } ss.

I Thos. Hanson do solemnly
swear that I am a Citizen
of the Cherokee Nation &
I knew Peggie Hanson she was
my gr mother married my
gr father Dick Hanson. Thos
Lon Boot Hanson is my
brother. Peggie Hanson was a
full blood Cherokee Indian
and I was acquainted as such
by her & I knew the daughter
Nancy Reeves. She was a child
born to her previous to her
marriage to Dick Hanson —
Nancy [illegible]
white man Nancy Reeves
my present married a
man by the name of John M.
Dobson — And I know their
son Richard Dobson and
know him to be an Indian
by blood, and my reason
Richard Dobson is 1/4 Cherokee Indian
by blood. Thos. his X Hanson
mark

Subscribed & sworn to before me this 27th day
of Aug 1896

Notary Public

attest
Jas. Hoss

Arena Jones
Vs.
Cherokee Nation

Affidavit
Taylor Rowe

Indian Territory
Northern District } Vian, I.T.

I [illegible] do solemnly swear
that I am a full blood Cherokee
Indian and resident of Illinois District
Cherokee Nation I.T. And enjoy all
rights of such; I am living
Deputy Sheriff of Illinois District I
know Arena Jones the claimant herein. She is 1/8 Cherokee blood. I knew
Betsy Neal who married Thos. Pox
and mother of Arena Jones
formerly Arena Pox. said Betsy
Pox was 1/4 Cherokee blood. I also
knew Sallie Neal mother of aforesaid
Betsy Neal or Pox. She was 1/2 Cherokee
blood. Sallie Neal was the daughter of
Annie Neal said Annie Neal afterwards marrying Archy Bone or
Backbone. The said Annie Neal
Mother of Sallie Neal, grandmother of
Betsy Neal or Betsy Pox and great
grandmother of Arena Jones.
Was a full blood Cherokee Indian
and was recognized as
such by our Tribe.
I have always been acquainted
with this family and know

them to the Cherokee Indians.
This is all I know of the matter.

Subscribed and sworn to before
me this the 3rd day of Aug. 1896

Notary Public

My comm. exp. 1899

Ariena Jones
vs
Cherokee Nation

Appeal from
Taylor Circuit

Arena Jones
vs.
Cherokee Nation

Affidavit of
Laura Taylor

he was first sworn to tell the truth
Direct Examination
By Mr. Reed
Q. Arena Jones. Testify whether or not
you are the same Arena Jones who
was examined in this case on the
part of the claimant by Leander
Reed?
A. I am.

Subscribed and sworn to before me
this 18 day of Dec 1896
H. B. Kelsey
Notary Public
Sequoyah Co. I.T.

Indian Territory
Northern District } Vian P.O.

I, Lewis Taylor do solemnly swear that I am a resident citizen of Illinois Dist. Cherokee Nation, I.T. being one half blood Indian - and enjoy all rights and privileges of a native citizen. I know Arena Jones the claimant herein - And know her to be an Indian by blood - being one eighth cherokee blood. I knew Biley Neal & she was one fourth cherokee Indian by blood and she married Thos. Poe and was the mother of Arena Jones or Arena Poe. Arena Poe her daughter Married Millard F. Jones - I also knew Sallie Neal the mother of Biley Neal who was a half blood Cherokee Indian Sallie Neal was the daughter of Annie and Archy Bone - or as the Indians always called him Archy Back-bone - Sallie Neal was the daughter of Annie Neal or Bone; A child She had by her first husband and she first married Neal and afterwards married Bone. Annie Neal or Annie Bone was a full blood cherokee Indian

Sallie Neal also married a man by the name being her cousin. I am well acquainted with the Neal family there is a Neal of the same family in this county some where. John Neal. I do not know where he is have not seen him for some time but he and I have talked the matter over at various times. he was first cousin he said to Betsy Neal or Betsy Poe the mother of Arena Jones. Taking the age into consideration I believe Arena Jones to be a sister. his Lewis X Taylor mark

Neal

Subscribed and sworn to before me this 18 day of May 1896

J. S. Rucker
Notary Public
Myself 4 9.I.99

Arena Jones
vs
Elizabeth Hudson

Affidavit of
Lewis Taylor

Richard Dodson
Charles Hinson

Affidavit of
George Hinson

Indian Territory }
Northern District } ss. I.T.

I, George Hanson, do solemnly swear, that I am a recognized Cherokee Indian (by blood) I know Peggy Blair, she was my grandmother and wife of my grandfather Dick Hanson. Peggy Hanson (or Blair) was a full blood Cherokee Indian and was recognized as such by the Indians. I know Nancy Parris, or Nancy Blair, the daughter of Peggy Blair (afterwards Peggy Hanson) and a man by the name of Parris, and born the name of Parris although her father and mother were never married. Said Nancy Parris was my (aunt) half sister to Bill Hanson my father. And I know her to be a Cherokee Indian by blood. Nancy Parris is my aunt as mentioned above married to John M. Dobson and I know her son Richard Dobson and know him to be her son and a Cherokee Indian by blood and my cousin.
Peggy Hanson (or Blair) my grandmother as aforesaid lived with my father Bill Hanson for

several years before she died
and I have heard her and my
father speak of Nancy Reuses or
Nancy Dodson many several times
times and know that she was
recognized by Peggy Hanson as
her daughter.

Peggy Hanson died about 10
years ago on this Nation. Taking
all into Consideration I know
Richard to be one taken as Cherokee
Indian by blood. My father
Bill Hanson is dead.

Affiant
by I M Thomas

his
George X Hanson
mark

Subscribed and sworn to before
me this 1 day of July 1896

J Lucas
Notary Public
My Com. Ex. 9.21.99

Richard Dodson
Cherokee Nation

Affiant
George Hanson

End

Nation's No. 6 2 4

Commission's No.

In re Application of

Demurrer and Answer.

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent now waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for readmission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed ~~hereto and made a part of this answer~~.

Having fully answered, your respondent asks to be hence dismissed.

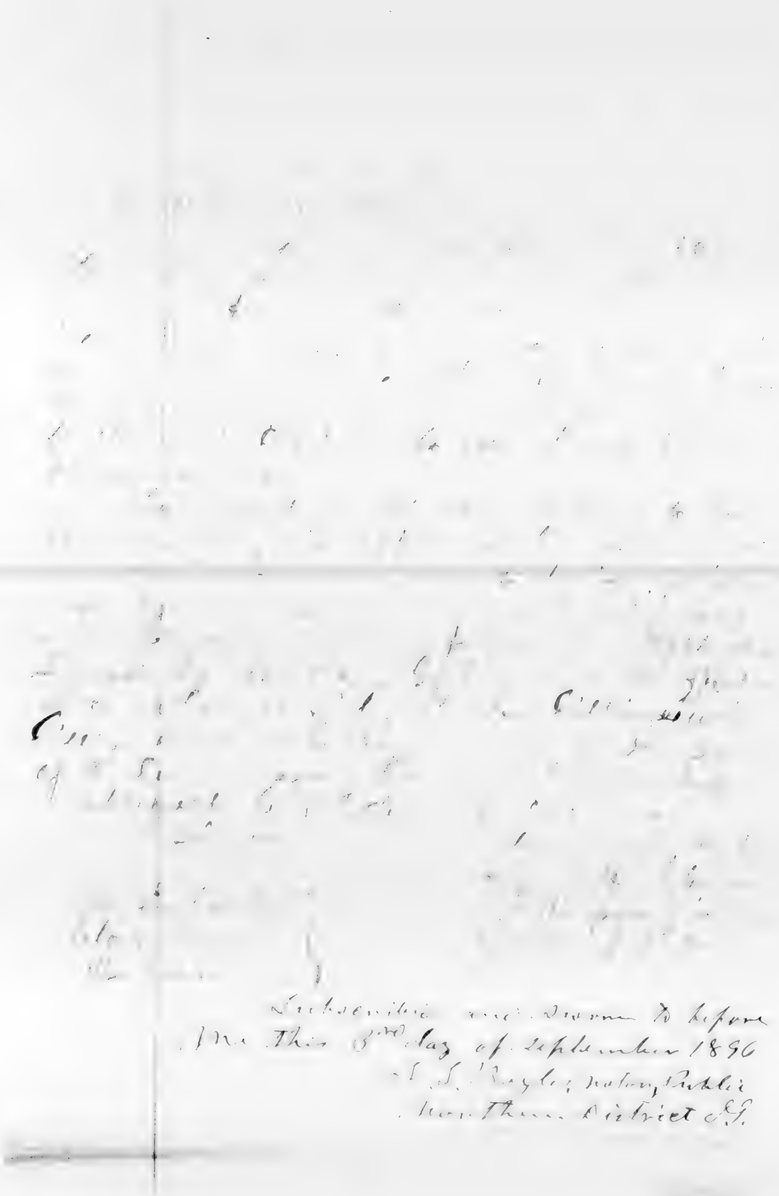
S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.



Subscribed and Sworn to before
Me This 8th day of September 1896
J. S. Bayley, Notary Public
Ware Thom District S.C.

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Vinita, Indian Territory:

The undersigned [illegible] your petitioner, makes this application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of claim, to wit:

That is the of one and the of one ~~and the~~ of one who, your petitioner firmly believes, w[illegible] Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom derived Cherokee Indian blood, entitling to citizenship in the Cherokee Nation, Indian Territory.

That ~~name and~~ the name of said ancestor should be found to appear on the Census Rolls, taken and made of Cherokees east of the Mississippi river, in the years, 1835, ~~1848, 1851, and 1852~~.

And your petitioner respectfully awaits the time ~~this~~ application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is years; that postoffice address is and that family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks.

In Witness Whereof, I have hereunto set my hand at , A. D., 189 , this, the day of

Attest:

[SEAL]

Subscribed and sworn to before me at Tahlequah I.T. this, the 19th day of August A. D., 1896

S. S. Bayles Notary Public Northern District I.T.

Office of Commission on Citizenship
Tahlequah, Cherokee Nation, Sept. 21st 1883.

No 186 Martha J. Gillis et al
vs.
The Cherokee Nation

Nathaniel Fish introduced for Claimant, Sworn in open Court testifies as follows. — My name is Nathaniel Fish — am a Cherokee, reside in the Nation & am 83 years of age. — I never saw the Claimant Martha J. Gillis, until now. I have Alexander Bates — He looked like a Cherokee when I saw him. He looked to be about one quarter white — I dont know that he had any children, I saw Alexander Bates about 1832 at the two Rivers. I took him to be a Cherokee when I saw him By the Court — I only saw him at that one time

Nathaniel Fish

Office of Commission on Citizenship
Tahlequah, Cherokee Nation, Sept. 21st 1893.
Martha J. Gillis et al
vs.
The Cherokee Nation

Charles Gillis introduced for the Claimant, duly sworn in open Court testifies as follows.

My name is Charles Gillis and a Delaware by blood, citizen of the Muskogee Nation, reside in the Muskogee Nation, My age is 26 years

I am acquainted with the applicant Martha J. Gillis - am acquainted with her father, - his name was Berry Bates.

Charles Gillis.

Office of Commission of Cherokee Citizenship
Tahlequah, C.N. Feb. 20th 1883.

Martha J. Gillis
vs.
The Cherokee Nation

N.E. Raper for the Claimant introduced testifies as follows: N.E. Raper is my name — am an adopted Cherokee Citizen, I lived in the Cherokee Nation about 15 years My age is 58 years.

I was acquainted Alex. Bates, I knew him back in the Old Nation at Aquatchee Valley — He was a Cherokee — He was always recognized as a Cherokee then — I was acquainted with Berry Bates, Alex Bates son I am acquainted with the applicant Martha J. Gillis — I was also acquainted with her mother before she was married. They were always recognized as undoubted Cherokees The father of Claimant Martha J. Gillis was Berry Bates.

By Solicitor. — I am a white woman. If I am a Cherokee I don't know it. I have been married to two Cherokees. Every one around there in Old Nation recognized Berry Bates as a Cherokee — He was doubtless him. By Everybody, I mean all the neighbors and Citizens in the County there where they were raised. They were Cherokees.

Affidavit of Examination as Citizenship
Tahlequah C.N., Sept 21st 1883

Martha J. Gillis et al
vs
The Cherokee Nation

Lewis Gillis introduced for the Claimant, sworn duly, in open Court testifies as follows:

My name is Lewis Gillis - am French & Delaware & not a Cherokee Citizen - I reside in the Cherokee Nation - My age is 33 years. I am acquainted with the Applicant (Martha J. Gillis) I am acquainted with her father - his name is Barry Bates - I do not know whither he was a Cherokee or not - I got acquainted with him in Missouri. I dont know that he claimed to be a Cherokee, I never heard him say so. I know that he was the father of the Applicant

Lewis Gillis.

No. ~~150~~ 152
Martha J. Gillis et al
vs.
The Cherokee Nation
Certificate of
Rejection

Filed Sept 7, 1896.
H. M. Jamison
Secretary

Muskogee

Indian T.

Creeks & White people all mixed up there the same as they are here – I knew that Berry Bates was a Cherokee from the looks of all the Cherokees there. And I have been among the Cherokees all my life

her
N. E. x Raper
mark

I certify that the at ove 5 pages of testimony in the case of Martha J. Gillis vs. Cherokee Nation is a true Copy of the original on file in this office.

Wm Endicott
Clerk Com.
Per Tenn.

October 4th
1883.

Office Commission on Citizenship

Tahlequah, C.N. October 1st 1883.

No. 186. Martha J. Gillis et al
vs.
Cherokee Nation

And now on this the 1st day of October A.D. 1883 this Case coming on for final hearing and all the evidence produced in the Case being Carefully read & duly Considered it was decided by the Commission on Citizenship that the Claimants Martha J. Gillis, Joseph A. Gillis, Harriet A. Gillis, John J. H. Gillis and Elizabeth Gillis are not Cherokees by blood and therefore, are not intitled to Cherokee Citizenship in the Cherokee Nation.

Thos. J. Lee, Pres. Com
Alex. Wolfe, Commis
T. F. Thompson, sioners

Wm. Eubanks
Clerk Com
Pro Tem

End

[illegible] of Wilson, vs [illegible]. | [illegible] Citizenship. Collection, [illegible]

[illegible] Wilson, [illegible] duly qualified [illegible] 8 [illegible]. [illegible] [illegible], [illegible] Wilson. [illegible] [illegible] [illegible]

Martin M. Many's wife was a white woman and named Matilda . She was a widow when she married Martin M. Many,and had two children,their names was Many & Wesley Rues , and are both dead,and both left families.

[illegible] Wilson,)
)
vs) Case No. of Jno. T. Wilson.
)
Cherokee [illegible].

[illegible] Indian Office, Muskogee, Oklahoma: I am a [illegible] Cherokee [illegible], [illegible] Wilson. I [illegible] the [illegible] Cherokee [illegible], [illegible] Wilson. I [illegible] Cherokee [illegible], [illegible] Wilson. I [illegible] Cherokee [illegible], [illegible] Wilson. I

Martin P. Vanny's sister Sally marrie[illegible] white man [illegible] name of Robt. Hawlkum. There were a lar[illegible] connection of the Vannys family in the State of N. C. The last account I had,Martin P. Vanny was still living. The applicant married my brother Hamilton Wilson. He had [illegible] children previous to his marriage to the applicant. The wife had [illegible] family previous to her marriage to my brother. The applicant left North Carolina in the year 1866,been living Benton County,Arkansas ever since. None of applicant's [illegible] ever married. [illegible] the applicants [illegible] citizenship before this.

tate of . . ,"ney County.

"his da" personally ppeared before me,Joshua "orton a notary
ustice of the peace of said county, . . aney the son of John "ney
deceased,"" "meth oath in due form of law,t at "lizabeth "ney is "
daughter and grand daughter of Jo "ney and wife of ". . "lison of
onton "o"y,"rk. And I further swear that "ohn "ney was enrolled at
the followi" dates of 1681,1[illegible], 1 51 1 62. And I further swear that
I saw "oh "ney draw money from the overnment "gents at different
times for himself and child. And I also swear that I drew money at dif-
ferent times for myself "d my children fr" the same agents.

"orn to and subscribed before me July 1907.

". ". "ney.

Joshua "orton,J.P.

"ort" Carolina
"ake "o. ".

In Supreme Court.

I, ". . ay,"erk of "preme "ort of "ake "ounty do hereby
certify t at Joshua "orton is a acti" J.P. of "ake "o. and all his
acts as such is entilted to credit.

"his July 2, 1907.

. . "y.

. ". .

Office Commission on Citizenship,
Tahlequah, Ind.Ter., Oct., 27th, 1897.

lizebeth Wilson,
vs
herokee Nation.

We, the Commission on Citizenship after a careful and impartial [illegible] of the above case, find from the statement of [illegible] applicant claims to have descended from, and lived in Haney County North Carolina, was only recognized as Cherokees by white people living in that vicinity, and never heard of any Cherokees recognizing them as such, and also find from the testimony of Paul Wilson, another witness for applicant, that he says heard and Cherokees say that the Haney family were Cherokees by blood, only what they stated themselves. We from the affidavit of [illegible] Haney father of applicant, states that John Haney was enrolled in 1835, 1848, 1851 & 1852, and drew money. After carefully examining the rolls of 1835 we fail to find any of the Haney family enrolled, nor we find that they were proved on page [illegible] of the Miller roll, we also find them on the Miller roll of 1851, and from the remarks made by Mr. Miller on the said roll page 100, that We had no proof that they were ever recognized by the Cherokees as being Cherokees by blood, and they generally resided out of the Cherokee country. We also find on the same roll page 194, that the Haney family have [illegible] no satisfactory proof that they were Cherokees. We find from the Chapman pay roll of 1852, that none of the Haney family drew money with the Cherokees.

We the Commission decide that the evidence is not sufficient and the said applicant Elizebeth Wilson, and her seven children, Lavonia, John D., Martha, William H., Jane M., Ida Jones and Laura Bell Wilson are not Cherokees by blood, and are hereby rejected and not entitled to any rights and privileges of this Nation.

T. M. Adair, Chairman Commission.

T. W. Lipe, Commissioner.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 8th day of September 1896.

John L. Adair.
Executive Secretary

Nation's No. 591

Commission's No.

In re Application of

Lulina Woodard -

Demurrer and Answer.

FILED SEPT. 9, 1896.

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. M. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Luthena Wood et al

Nation's No. 741

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

John Mayes

through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now living or who have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for readmission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Stallings, Hastings & Bond and Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief

John L. Adair

Subscribed and sworn to before me this, the 2 day of [illegible] 1896.

[illegible]

NOTARY PUBLIC.

Nation's No. 993

Commission's No.

In re Application of

John Jane Pierson

Demurrer and Answer.

FILED SEPT. 9 1902

A. S. McKENNON

COM'R

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B Montgomery, Commissioners

In the matter of the application of

John James Pierson

Nation's No. 791

Commission's No.

for citizenship in the Cherokee Nation.

Your petitioner S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and informs the said Commission that [illegible] says:

1st. That this Commission has no jurisdiction of the parties or subject matter of this controversy, nor power to hear and determine the same.

2nd. That the petition herein does not state facts sufficient, if true, to show that the applicant [illegible] entitled to citizenship.

Respondent [illegible] Commission, [illegible] upon the same for answer to said application, says that

Elizabeth Pierson

A [illegible] through whom the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the [illegible] Nation was located in the Indian Territory as at present located and defined, that his name does not appear upon any authenticated roll of said Nation; that neither he nor any of his ancestors now [illegible] in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent [illegible] and complete defense to the aforesaid Application says: That, heretofore [illegible] application before a legally constituted Court, or Commission on citizenship, having [illegible] to citizenship in the Cherokee Nation; That the said case was tried [illegible] hearing, judgment was duly given against the applicant and in favor of the Nation. A certified transcript of the aforesaid proceedings and judgment are annexed hereto ~~and made a part hereof~~.

case of Pierson Nancy No 791

Arnold & Hutchins

Respondent asks that petitioner's complaint be dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Benedict Attorneys.

John L. Adair, Secretary Cherokee Nation, having been first duly sworn, states that the matters and things [illegible] answer are true to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC.

John Jas P. Wilson

Application

Original

[illegible] known [illegible]

W. L. Hansen

do solemnly swear that I [illegible] on this 11 day of September [illegible]

deliver to West Sweetwater Canal Co. [illegible] Trust

of the Cheyenne Nation, of his office in the Town of Pablo [illegible],

a true copy of the within application of Lucheua

Woodruff and others

Wm. L. Hansen

Subscribed and sworn to before me this 11 day of Sept [illegible]

L. Lisagor

Notary Public.

[illegible]

Application.

To the Commissioner to the
Five Civilized Tribes.

Your petitioners John Wilson and Jno O Wilson for themselves and for other members of their family, mentioned below applying for enrollment as Cherokee citizens, state:-

That they are sons of Elizabeth and A B Wilson
of one
of one [illegible] B. Wilson
of one.

That the said [illegible] ancestors of the petitioners were Cherokee Indians by blood and were duly acknowledged members of the Cherokee Tribe of Indians and that from said ancestors petitioners derives Cherokee blood, entitling them to citizenship in the Cherokee Nation in the Indian Territory.

That the names of the said Indian ancestors should be found on the Census Rolls taken and made by the Cherokee Nation in the ~~1880, 1881, 1882~~ 1883.

Petitioners say that they have always been and is now ready and willing to become a resident and citizen of said Nation and subject to its laws and usages and to assume the duties of the burdens of government and that they has resided therein for 3 years.

The age of your petitioners are 38 and 32 respectively years, Post Office Tenkiller, I.T. and family by virtue of their Cherokee blood consists of the following named to wit:-

APPLICATION.

To the Commissioner to the
Five Civilized Tribes.

Your petitioners John Wilson and Geo P Wilson for Themselves and for other members of their family, mentioned below applying for enrollment as Cherokee citizens state:-

That They are sons of Elizabeth and A B Wilson of one [illegible] said Elizabeth Wilson of one Ill B Tracy the said of one.

That the said Ill. B Treacy ancestors of the petitioners were Cherokee Indians by blood and were duly recognized members of the Cherokee Tribe of Indians and [illegible] from said ancestors petitioners derives Cherokee blood, entitling Them to citizenship in the Cherokee Nation in the Indian Territory.

That the names of his said Indian ancestors should be found on the Census Rolls taken and made by the Cherokee Nation in ~~1880~~ 1883, ~~1881, 1882~~.

Petitioners say that They has been and is now ready and willing to become a resident and citizen of said Nation and subject to its laws and usages and to assume their proportion of the burdens of government and that he has resided therein for 3 years.

The age of your petitioners are 38 and 32 respectively years, Post Office Tulsa, I.T. and family by virtue of their Cherokee blood consists of the following named to wit:-

POOR ORIGINAL
BEST AVAILABLE COPY

Wherefore the petitioner prays that ~~his~~ their name and the name's of ~~his~~ their descendants be enrolled as citizens of the Cherokee Nation.

Attested by Wm E Breedlove

Samuel X his Wilson mark

Subscribed and sworn to before me this [illegible] day of [illegible] 1903.

Wm E Breedlove
Notary Public.

No.
Application of Lucius
M. Wood
for Letters
Patent

Original

State of Arkansas
County of Benton

Now on this day personally appeared before the undersigned a Notary Public within and for the County of Benton and State of Arkansas William M. Keith personally known to me as reputable and entitled to credit, who being first duly sworn deposes and says and says: My age is sixty years, residence Benton County Arkansas, my post office is Chesnut City Ark.

I am one of the present representatives of Benton Co. in the Arkansas Legislature.

I was born in the State of Tennessee and raised in the State of N. Carolina. In the last named State I was acquainted with M. B. Manning the father of Elizabeth Manning who afterwards married M. B. Wilson and who is the mother of Luthena Wood, Martha Adrien William Wilson Ella Beck and Bill Wilson

I know that said W. B. Harney was known and recognised as a Cherokee Indian in Yancy County North Carolina where he resided when I knew him. The affiant further deposes and says, I am acquainted with W. A. Hensley Paul Wilson and N. B. Wilson and know all of them to be reputable and entitled to full faith and credit

W M Veach

Subscribed and sworn to before me this 24 day of July 1879

S. E. Wilkins
Ju. Pub.

My Com Exp May 20th 1880

Petition of Lucre-
tia Wood and
others.

Original

To the Commissioner to the Five Civilised Tribes.

Your petitioners Luthena Woods, late Luthena Wilson, Martha Admire, late Martha Wilson, William Wilson, Ida Beck late Ida Wilson and Bell Wilson, Sons and daughters of Elizabeth Wilson whose maiden name was ElizabethManey applying for enrollment as Cherokee Citizens state;-

That they, the said applecants are the children of the said Elizabeth Wilsonlate Elizabeth Maney by W. P. Wilson. That said Elizabeth Wilson nee Maney is a daughter ofM. B. Maney who lives in Vancey County, North Carolina who is of Cherokee Indian blood and has always been recognised as a Cherokee Indian. That said M. B. Maney is the son of John Maney who was a half breed Cherokee Indianand was a member of the said Cherokee Tribe of Indians in the old Cherokee Nation in North Carolina.

Petitioners say; that they were all born in the state of Arkansas, except Luthena Woods late Luthena Wilson who was born in Vancey County North Carolina, and all of the said petitioners except two, Martha Admire and William Wilson, reside in the Cherokee Nation. And that said Martha Admire and William Wilson now reside in Benton County Arkansas, but are ready and willing to take upthe residence in the Cherokee Nation, and all of said petitioners are ready and willing to become permanent residents of said Nation and to take upon themselves the obligationsof citizenship.

The following is age of said petitioners respectively:-

Luthena Woods	aged	30 years
Martha Admire	"	26 years
William Wilson	"	24 "
Ida Beck	"	20 " "
Bell Wilson	"	16 "

Luthena Woods has two descendants living viz.-Lorby Woods aged 3 years, and Bertha Jane Woods aged two years.

Martha admire has two living children viz:- Dora Admire aged 8 years and Ida admire aged 3 years.

POOR ORIGINAL
BEST AVAILABLE COPY

Wherefore your patitioners ask that they be enrolled by your honorable Commission as members of the Cherokee Tribe or Nation of Indians and be entitled as such to all the benefits and privilig es of such citizens.

Buster & McBride,
Attornays for Patition ers

Luthrena Woods and Bell Wilson two of the patitionerssay that the statements set forth in the foregoing petition are true.

Subs x x x

Subscribed and sworn to before me this July 22 1896

Commission Expires.

Notary Public
Northern District of the Ind. Ter.

Lucien Dodd.

E. C. Anderson.

State of Arkansas }
County of Benton }

Now on this day personally appeared before the undersigned a Notary Public within and for said County and State Mrs L. C. Anderson personally known to me as reputable and entitled to credit; who being duly sworn deposes and says:

I am fifty two years old. My residence Benton County Arkansas; My Post Office is Pactolus Ark.

I am the wife of a farmer. I was born and raised in Yancey County North Carolina in which State I was acquainted with John Massey and his son W. B. Massey who were the grand father and father of Elizabeth Massey who afterwards married H. B. Wilson and who is the mother of Lucinda Woodmansha Adams William Wilson Ida Beck and Bell Wilson

I lived in this immediate neighborhood from early childhood until I was grown up and married & I know that- Wm Maney and W. B. Maney his son were known and reputed or recognized as being Cherokee Indians in Yancey County, North Carolina when they resided when I knew them.

The affiant further States that- she knows that W. B Nelson and Elizabeth Maney were lawfully married and that- she is personally acquainted with W. A. Nelson Paul Nelson and W. B ~~Nelson~~ Nelson and knows all of them to be reputable and entitled to full faith and credit- She further says that- she is not related to the petitioners or interested in the prosecution of the claim

Subscribed and sworn to before me this 24th day of July 1906.

S. E. Gilkerson
Notary Public

My Com Exp January 22nd 1907

Lathrop Woodbridge
Capt.
Lucinda Carder

United States of America
Northern Dist. Ark. Ter.

Be it on this
day personally appeared before
the undersigned Notary Public
within and for the District and
County aforesaid Mrs. Lucinda
Cordle who being first
sworn deposes as follows:
I was formerly a resident of Nth
Carolina. My maiden name was
Money. I am a daughter of John
Money and Martha Emerson Money
who [illegible] George Money
and Madison Money and James Money
are my brothers. My father was
a recognized Cherokee Indian and
so were the [illegible] family when
we resided in North Carolina and
we were all in good relations with
the Cherokees there [illegible]
[illegible] as long as the Cherokees
had any money I was [illegible]
was in the Cherokee Nation and
[illegible] I am
I am not interested in any way
in the prosecution of the claim
of Lutheria Wood and others.
Lucinda her Cordle
mark

Witness
A. Underwood
Subscribed & Sworn to this July 26. 87.
W.H. McBride
Notary Public

Commission Expires Dec 20 1889

Letter from Woodbridge
to
Frederick G
Albert Sanderson

Original.

[illegible]

[illegible] County of [illegible]

Now on this day personally [illegible] before the undersigned a Notary Public within and for the County of Benton and State of Arkansas Edward C. Anderson personally known to me as reputable and entitled to credit, who being duly sworn deposes as follows and

My age is fifty Years. Residence Benton County Arkansas; My Post office is Pea Ridge Ark.

I am a farmer by occupation and have been all my life.

I was born and raised in Yancey County North Carolina in which State I was acquainted with Mr. B Massey the father of Elizabeth Massey who afterwards married A. B. Wilson and who is the mother of Lucinda Wood Martha Adaline William Wilson Ida Beck and Bell Wilson

In Application of
Lustena Wood et al

Affidavit of
E. L. Anderson

I know that- M. B. Swanay
was known and recognized as
a Cherokee Indian in Yancey
County North Carolina where
he resided when I knew him

The affiant further states
that- he is acquainted with
W. A. Hensley Paul Wilson and
J. B. Wilson and know all
of them to be reputable and
entitled to full faith. He
further says that- he is not
related in any way to the
petitioners or interested in the
subject matter.

[redacted]

Subscribed and sworn to
before me this 24th day of
July 1906.

S. E. Gilbreath
Notary Public
My Com. Exp. May 2nd 1909

Application of
Luther Woodcock

Affidavit of
A. B. Wilson

United States of America
Northern District Ind Ter.

Now on this day personally appeared before the undersigned Notary Public H. B. Wilson who being by me first duly sworn deposes as follows and says:- I am 48 years of age and reside in Bentonville Arkansas. In relation to the claim for Cherokee Citizenship of Luthena Woodall Lucena Wilson, Martha Ed Mine Late Martha Wilson, William Wilson and Bell Wilson the Affiant states: Said petitioners are my children by Elizabeth my wife who died in 1886. My said Wife Elizabeth was named before her marriage Elizabeth Maney and was a daughter of M. B. Maney. We were married in Yancy County North Carolina where my wife was born and reared and there afterwards my eldest daughter was born. M B Maney was known and recognized as a Cherokee Indian. In 1868 I moved with my said family from Yancy County N. C. to Arkansas and have been residing there since that time. My said children a part of them reside in the

Cherokee Nation and a part reside with me in the State of Arkansas.

× A B Wilson

Subscribed and Sworn to before me this July 20 - 1896.

W H D McBride
Notary Public

Commission Expires Dec. 20, 1896

affidavits of
W. A. Binsley
in case of
Richmond Board

State of Arkansas }
County of Benton }

In the matter of the Claim of Lucena Woods, Martha Admire, William Wilson, Ida Beck and Bee Wilson before the Commission to the Five Civilized Tribes for enrollment as Cherokee Citizens, personally appeared before the undersigned Notary Public within and for the County and State aforesaid W.A. Hensley personally known to me as a publisher and entitled to full credit, who being by me first duly sworn deposes as follows: I am 46 years of age and reside in Benton County Arkansas. I am personally acquainted with one of the above named applicants and have known them from their birth. I was acquainted with the mother of said applicants whose maiden name was Elizabeth Money. Said Elizabeth Money married W.B. Wilson and these petitioners are all her children by said W.B. Wilson. She said Elizabeth died in 1886, since which time some of the petitioners have been residing in the Cherokee Nation and some in Arkansas.
Before I came to Arkansas I

resided in Yancey County North Carolina and was born and raised there. I was well and personally acquainted with the father of said Elizabeth Wilson late Maney who still resides in North Carolina and that said grandfather of these applicants and father of said Elizabeth Maney or Wilson, whose name is M. B. Maney is a cherokee Indian by blood and was always known and recognised as such.

I am not related to the applicants and have no interest direct or indirect in this application nor in the prosecution of same.

And further Deponent saith not,

Subscribed and sworn to before me on this 2[illegible] day of [illegible] 1846 and I certify that I have no interest whatever in this application or in the prosecution thereof

[illegible]

Expires June [illegible] 1846

Lurkins Woodward

Paul Wilson

()()()()()()()(()()()()()x
x
x
State of Arkansas, x SS.
x
County of Benton. x
x
()()()()()()()()()()()()()

In the matter of the Application of Leothena Woods, Martha Admire, Ida Jack Williams, Wilson and Dell Wilson for the Cherokee Citizenship, as Cherokee Indians by blood before the Commission to the Five Civilized Tribes, Personally appeared before the undersigned Notary Public, within and for the county and State aforesaid, Paul Wilson, personally known to me xxx as reputable and entitled to credit and who, being first duly sworn according to law deposeth and says:--

My name is Paul Wilson, my age is seventy years, my Post Office address is Hoover, Benton County Arkansas, and I am a farmer by occupation.

The affiant declares in reference to the above claim as follows, to wit:--
That he was personally acquainted with W. P. Maney, who resided in Paint Rock District in the State of North Carolina, who was a Cherokee Indian by blood, and recognized as such and a ~~member~~ member of the Cherokee Tribe of Indians, in the Old Cherokee Nation That he is also acquainted with Elizabeth Maney now Elizabeth Wilson, wife of W. P. Wilson and that said Elizabeth Wilson is a daughter of said W. P. Maney, and that the above named petitioners are are sons and daughters of said Elizabeth Wilson. Affiant further states that he has no interest direct or indirect in this claim or in the prosecution thereof

X [illegible]
his mark

Subscribed and sworn to before me this the [illegible] day of July 1901.

State of Arkansas
County of Benton.

Now on this day personally appeared before the undersigned Notary Public within and for the County and state aforesaid Baxter Wood personally known to me as reputable and entitled to credit who being duly sworn in reference to the claim of John Wilson and James P. Wilson as Cherokee Citizens says:-

My age is years my residentee is Benton County. I am well acquainted with W. P. Wilson and knew Elizabeth Wilson his wife who is now dead.

I knew said Elizabeth Wilson in North Carolina. She was the daughter of Martin B. Maney who was a Cherokee Indian and always recognised as such when he lived and now resides as I suppose.

The applicants John Wilson and James P. Wilson are the sons of said W. P. Wilson and said Elizabeth Wilson and they now reside in the Cherokee Nation.

~~I am not related to the applicants nor in any way interested in the prosecution of their claim to Cherokee Citizenship.~~

Baxter Wood

Subscribed and sworn to before me this day of 1902.

W S Peach

My commission

AFFIDAVIT.

In the matterof the application of [illegible] John Wilson

for enrollment as a Cherokee Citizen,before the undersigned authority,personally appeared [illegible]

to me personally known as reputible and intitled to full credit, who being by me first duly sworn according to law,deposes and says: My age is [illegible] years my post office address is [illegible]

,my occupation is [illegible]

The statements below are from my own personal knowledge,except when otherwise indicated and I am in now way interested in the prosecution of said claim. In reference to said claim he says:-

That he is personally acquainted with M. P. Maney who resides in Paint Gap in the state of North Carolina and that said Martin P. Maney is a Cherokee Indian by blood,and recognised as such and was a member of the Cherokee Tribe of Indians in the old Cherokee Nation. That he is also acquaintedwith Elizabeth Wilson late M Elizabeth Maney and that she is the dawghter of said Martin P. Maney The children of said Elizabeth Wilson are the following; aged 30 years aged Luthena Woods,John Wilson, aged 28 years, Martha Admire aged 26 years,William Wilson aged 24 years James P. Wilson aged 22 years Ida Peck aged 20 years, Bell Wilson aged 16 years,the names of John Wilson and James P. Wilson were not mentioned by me in a former affidavit made by me in reference to the claim of Luthna Woods and others because said John Wilson and James P. Wilson were not applying for citizenship. These two applicants do not live with the family. These two applicants are now residents of the Cherokee Nation andare Cherokees by blood.

[illegible]

STATE OF NORTH CAROLINA?

YANCEY COUNTY/

nOW ON THIS DAY PERSONALLY APPEA ED BEFORE THE UNDER-SIGNED NOTARY PUBLIC WITHIN AND FOR THE COUNTY AND STATE AFORE-SAID MARTIN B. MANEY PERSONALLY KNOWN TO ME AS REPUTABLE AND ENTITLED TO CREDIT? WHO BEING BY ME DULY SWORN IN REFERENCE TO THE CLAIM OF LUTHENA WOODS AND OTHER CHILDREN OF H. B. AND ELIZABETH WILSON TO CHEROKEE CITIZENSHIP, DEPOSES AS FOLLOWS AND SAYS:- MY NAME IS MARTIN B. MANEY AND MY AGE IS 8[illegible] YEARS I WAS RAISED IN YANCEY COUNTY, NORTH CAROLINA. I AM A CHER-OKEE INDIAN BY BIRTH AND BY BLOOD AND WAS IN TRIBAL RELATION WITH THE CHEROKEES AS LONG AS THEY REMAINED EAST OF THE MISSIS-IPPI AND KEPT UP A TRIBE OF GOVERNMENT. I WAS ON THE ROLLS OF THE EASTERN CHEROKEES AFTER THE REMOVAL OF THE GREATER PART OF THE TRIBE TO THE WEST AND ALWAYS DREW MY PAY AS A CHER-OKEE AS LONG AS THERE WAS ANY PAYMENT MADE TO THE CHEROKEES OF THE EAST. I HAVE NEVER REMOVED TO THE WEST WHERE THE CHER-OKEES ARE NOW SETTLED, BECAUSE I PREFERRED RESIDING HERE.

ELIZABET MANEY WHO WAS THE WIFE OF H. B. WOOD WAS MY DAUGHTER AND THE MOTHER OF THE APPLICANTS. THAT THE NAME OF SAID ELIZABETH APPEARS UPON THE ROLLS OF 1852 AND TH T SHE AND HER CHILDREN WERE ALL CHEROKEES BY BLOOD/

[illegible]

SUBSCRIBED AND SWORN TO BEFORE ME THIS [illegible] DAY OF [illegible] 1896

[illegible]

#3162

Letherin Wood
et al
vs
Cherokee Nation

AFFIDAVIT.

In the matter of the application of John and James P. Wilson for enrollment as a Cherokee Citizen, before the undersigned authority, personally appeared W. P. Wilson to me personally known as reputable and entitled to full credi t, who being by me first duly sworn according to law, deposes and says My age is [illegible] years, my Post Office address is [illegible] my occupation is [illegible]

The statements below are from my own personal knowledge, except when otherwise indicated. ~~and I am in no way interested in the prosecution of s id claim.~~ In reference to said claim he says:- My name is W. P. Wilson and I am the husband of Elizabeth Wilson formerly Elizabeth Maney. John and James P. Wilson are my sons by said Elizabeth. They do not reside with me but have been doing forthemselves for a long time and were not included on that account in the application of Luthena Wood and others. The age of John Wilson is 28 years and that of James P. is 22 years. Elizabeth Wilson is my wife and these children were born to us in lawful wedlock. We were married in Yancey County N. C.

W B Wilson

End

Nation's No. 3372

Commission's No

In re Application of

William R Tibbs

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of
Lillian K Potter
Nation's No. 3372
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that W. J. Smith through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof. And respondent further shows that the applicant is living beyond the limits of the Cherokee Nation and enjoying the right as a citizen of the State of Oregon

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Nash, Kings & Hastings, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

Chemawa, Ore,

Aug. 29th. 1896.

To the Honorable ,

The Commission of the Five Civilized Tribes,

Vinita, Indian Ter.

Dear Sirs:-

I have the honor to respectfully submit herewith my application for citizenship into the Cherokee nation West, for the considera ation of your Honorable Commission, and The Honorable Governor of the Cherokee Nation . As stated in my affidavit herewith attached, my Father , W. J. Smith, was an Eastern Cherokee, by blood descent , and was Chief of the said tribe for twelve years, therefore I can rightly claim my blood rights as an Eastern Cherokee , and a member of said tribe. My brother P. H. Smith, and my sister Mrs Jackson W. Ellis, preceden me to the Territory and were admitted into the nation by the council of the Western Cherokees, and are now full fledged citizens.

My application fro admittance into the Cherokee Nation west, was presented to the Council at its last session, and was acted upon and approved , and passed by the Senate, but for want of time was not acted upon by the Council.

While most anxious to be admitted into the Cherokee nation west and be united with my people, yet under no circumstances would I attempt to force myself into the tribe, if it is not agreeable to the Cherokee authorities.

I respectfully submit this my application to you as advised to do by Hon. C. J. Harris, ex- chief of the cherokees, so that the same can be filed before Sept. 10.th. 1896, in accordance with the requirements of Act of Congress , and I humbly pray your careful and favorable consid-

(Lillian R. Potter, continued)2

eration of the same.

I left my home in Cherokee N. C. , Sept. 1895, and gave up all rights that I might have possessed as a member of the Eastern Cherokee tribe, to make my home in the West near my people there,having been informally invited to do so by Ex- Chief Harris, and because my health required a change of climate.

My residence here is only of short duration for the improvement of my health, and I return to the Territory, in October 1898, where I hope I may be allowed by the consent of your honorable commission and the Cherokee authorities to make my permanent residence.

I remain most respectfully,

L. Lillian R. Potter

[illegible] application and affidavit forwarded to the Chief of Cherokee nation.

Affidavit of Lillian R.

Potter .

Making application for

citizenship into the

Cherokee Nation West.

Aug. 29 th. 1896.

Salem, Ore,

Aug. 29th, 1896.

I, Lillian R. Potter, do solemnly swear that I am the daughter of N. J. Smith, (deceased) Ex- chief of the Eastern Cherokees, and Mary E. Smith , that my Father was an Eastern Cherokee by blood , and his name is borne on all the authorized and approved rolls of the said tribe.

I therefore claim that I am an a Cherokee, by blood and birth.

My brother, R. H. Smith, and my sister, Mrs. Jackson Ellis, were admitted into the Cherokee nation West by the council, and are now citizens, therefore I pray that my right may be considered equal with them.

I am twenty years of age, am married, and have one child ten months old, Thomas Jarret Potter .

I also swear that my intention is honest and honorable in seeking admittance into the Cherokee nation west, and is not for speculative purposes.

Lillian R. Potter

Subscribed and sworn to this --------day of August, 1896.

~~No 910.~~

William R. Potter
v.
Thomas Watson

Filed Sept 4, 1846.
H. W. January
Clerk

Delaware, Oregon

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Filed SEPT. 9, 1901

A. S. McKENNON

Comm'r

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive

right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

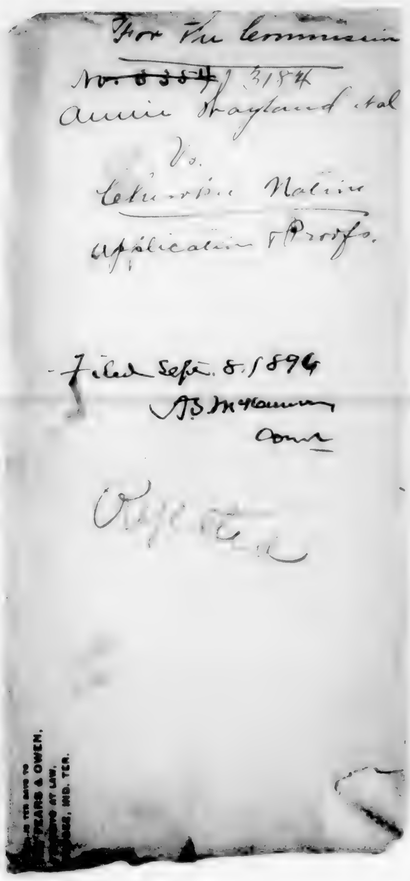
S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.


For the Commission

~~No. 3184~~ 3184

Annie Hayland et al

Vs.

Cherokee Nation

Application & Proofs.

Filed Sept. 5, 1894

A. B. McNaughton

Clerk

Ryan & Ryan

ATTORNEYS AT LAW

MUSKOGEE, IND. TER.

United States of America,
Indian Territory,
Northern Judicial District.

This day personally appeared before me, Pearl Eddleman a Notary Public in and for said District and Territory L. A. Sears who being duly sworn states that he did on the 7th day of September, 1898, at the Cherokee Nation, deliver into the hands of ~~S. H. Mayes, Principal Chief of~~ W. A. Duncan Attorney for the Cherokee Nation, a full, true and perfect copy of the petition of Minnie Hayland and others, together with the accompanying documents for citizenship in said Nation, all of which petition and documents are hereto attached.

L. A. Sears

Subscribed and sworn to before me on this 7th day of September, 1898.

Pearl Eddleman
Notary Public.

APPLICATION FOR CITIZENSHIP.

To the Honorable [illegible], DENNIS W. ARNETT, ARCHIBALD S. [illegible], THOMAS L. CARRIGS, and ALEXANDER B. MONTGOMERY, [illegible] Delegates duly authorized by an act of Congress of June 4, 1890, to hear and [illegible] the Claims for Citizenship in the Cherokee Nation.

Gentlemen:-

Your petitioners the undersigned Annie Copeland, Minnie Griffin for and in behalf of themselves and their children below mentioned, and James Purnes in his individual right respectfully petition your honorable body for admission and enrollment as citizens of the Cherokee Nation.

Your petitioners state that they are the lawful sons and daughters of John Purnes and his wife Delilah Purnes, nee Williams a white woman.

That the said John Purnes was the lawful son of Richard Purnes who was a Cherokee Indian by blood, and was a member of the Cherokee tribe of Indians east of the Mississippi River, and that said Richard Purnes resided with and among the Cherokee Indians in the State of North Carolina where the eastern band of Cherokee Indians resided prior to the Treaty of 1835. Your petitioners further aver that the said Richard Purnes was duly enrolled in the said State of North Carolin for emigration to the Cherokee Nation west of the said River under treaty stipulations between the United States and the Cherokee Nation of Indians east of said river, and under and by virtue of said treaty the said Richard Purnes migrated to the said Cherokee Nation west of

said river, and was duly enrolled as a member of the last named Cherokee Nation and entitled to all the rights, privileges and immunities of citizens of the last named Cherokee Nation, in which Nation he lived and resided from said migration until the time of his death. Your petitioners further state that the said Richard Purnes never at any time took any reservation of land east of said river in consideration of his prospective rights in the Cherokee Nation west of said river.

Your petitioners state that their father, John Purnes, was lawfully intermarried with said Delilah whose maiden name was Williams, and that your petitioners are the lawful descendants in lawful wedlock of the said John Purnes. And they further state that said Richard Purnes was lawfully married to Lizah Hall who is the grandmother of the said petitioners, and that said mother was a Cherokee Indian by blood, and was a lawful member of the Cherokee tribe.

Your petitioners further state that the said petitioner Annie Wayland was lawfully married to J. J. Wayland, and that the following are the children of said Annie Wayland who were born in lawful wedlock, to-wit:

Edward J. Wayland, male, age 17 years.
William T. Wayland, male, age 15 years.
Lena L. Wayland, female, age 7 years.
Florence V. Wayland, female, age 5 years.

The following are the children of the petitioner, Minnie Griffin who is the lawful wife of Thos. Griffin a white man, to-wit:

Mabel Griffin, female, age 4 months.

All whom your petitioners and their said children were begotten and born in lawful wedlock, and are all Cherokee Indians by blood, and entitled to be enrolled as members of said tribe, and they herewith

attach their proofs in support thereof, except the rolls of the Cherokee Nation containing the names of the ancestors of your petitioners.

Wherefore, the premises duly considered, your petitioners pray that they may be admitted and enrolled as citizens of the Cherokee Nation.

Annie Wayland,

Minnie Griffin,

Jesse Burton.

Warren, Pearce & Lowe,

Attorneys for petitioners.

United States of America,
Territory of Oklahoma,
Pottowatomie County.

The above named Annie Wayland and Minnie Griffin say the statements contained in the above and foregoing petition are true.

Annie Wayland.

Minnie Griffin.

Subscribed and sworn to before me this August 29th, 1896.

W. A. Wood,

Notary Public.

In the matter of the application of Annie Maryland, Winnie Griffin and James Burnes for Cherokee citizenship--

The undersigned affiant, T. C. Green, who being duly sworn first states that he is seventy two years of age, a farmer by occupation, and a resident of the said Territory of Oklahoma, that his post office is Chandler.

Affiant states that he was well acquainted with Richard Burnes and his wife, Elizabeth, whose maiden name was Wall, and that they were both Cherokee Indians by blood and members of the eastern band of Cherokee Indians prior to the Treaty of 1835 between the United States and said Cherokees.

Affiant further states that John Burnes was the lawful son of the said Richard Burnes and his wife aforesaid, and that the said John Burnes is the father of the said Annie Maryland, Winnie Griffin and James Burnes, who are full brothers and sisters and the lawful descendants in lawful wedlock of the said Richard Burnes and his wife, the grand parents of petitioners, and of John Burnes aforesaid the father aforesaid of said Annie, Winnie and James. That said Richard Burnes and his son John aforesaid were Cherokee Indians by blood, and were undisputably such by common repute, and both the families of the said Richard and John Burnes as well as in the community in which they lived, and the Cherokee blood was plainly shown by their color and features. They were always received and treated as Cherokee by other Cherokees, and by all their neighbors; that he knew them in North Carolina among the eastern band, where their rights as such were never disputed, or denied as far as he ever knew or heard.

J. C. Green.

Subscribed and sworn to before me this the 31st day of August, 1896.

C. W. Cade,

Notary.

SEAL.

In the matter of the application of Annie Hayhead, Minnie [illegible] for Enrollment as Cherokee Citizens by.

[illegible], Affiant, Jim Gipson, who being [illegible] first duly [illegible] deposes and says that he is over the age of [illegible] years, a [illegible] occupation, and [illegible] Wagoner, Oklahoma, that his post office address is [illegible]; that he is well acquainted with [illegible] wife, Elizabeth, whose maiden name was Hall; that they were both Cherokee Indians by blood and [illegible] Eastern band of Cherokees prior to the Treaty of 1866 between the United States and said Cherokees. Affiant further states that John Burres was the lawful husband of the said Richard [illegible] wife of aforesaid, and that the said John Burres is the father of the said Annie [illegible], Minnie Griffin and James Burres, who are [illegible] petitioners, and that the lawful [illegible] of the said Richard [illegible] and his wife, the grandparents of petitioners [illegible] John Burres aforesaid the father aforesaid of said Annie, Minnie and James; that said Richard Burres and John Burres aforesaid were Cherokee Indians by blood and were universally such by common repute, and both families of the said Richard and John Burres as well as in the community in which they lived, and the Cherokee blood was plainly shown by their color and features; they were always recognized and treated as Cherokees by other Cherokees and all their neighbors. That he knew them in North Carolina among the Eastern band where their rights as such were never questioned or disputed as far as he ever knew or heard. Affiant states that he was a neighbor to said [illegible] John Burres in North Carolina and knows them to be Cherokees [illegible] blood.

His Spouse.

Subscribed and sworn to before me this the 21st day of August, 1896.

C. V. Cole,

Notary.

Seal.

To The Honorable [illegible] Commissioner of Indian Affairs
Archibald S. McKinnon, Secretary of the Interior,
and [illegible] President, United States
[illegible] created by an act of Congress
of June 4, 1844, and [illegible] relating to Citizenship in the
Cherokee Nation

Your Petitioners the undersigned
Annie Wayland, Minnie Griffin for
[illegible] behalf of themselves & their
children below mentioned
& James Burgess in his individual
right respectfully petition
your honorable body for
admission & enrollment
as citizens of the Cherokee
Nation. Your petitioners
state that they are the lawful
sons & [illegible] of John Burgess
& his wife Delilah Burgess nee
Williams a white woman.

That the said John Burgess
was the lawful son of
Richard Burgess who was
a Cherokee Indian by blood
& was a member of the
Cherokee tribe of Indians
east of the Mississippi River
& that said Richard Burgess
resided with & among the

Cherokee Indians in the State
of North Carolina where
the eastern band of
Cherokee Indians
resided prior to the
treaty to the treaty of
1835. Your petitioners
further shew that the
said Richard Burges was
duly enrolled in the said State
of North Carolina for emigration
to the Cherokee Nation west
of the said River under
treaty stipulations between
the United States & the Cherokee
Nation of Indians east
of said River & under the
terms of said treaty the
said Richard Burges emigrated
to the said Cherokee Nation
west of said River & was duly
received as a member of
the said named Cherokee Nation
& entitled to all the rights
privileges & immunities of a citizen
of the said named
Nation in which

[illegible] assignment to his said
Reservation [illegible] the time of
his death. Your petitioners further
state that the said Richard
Burgis never at any time
took any reservation of
lands East of said River
in consideration of his
prospective rights [illegible]
Cherokee Nation West of said
River.

Your petitioners state that Thos
Luther Sahn Burgis was
lawfully intermarried with
said Elijah [illegible]
was Williams & that Your petitioners
are the Lawful Descendants
in Lawful Tradition of the
said Richard Burgis. That
Your petitioners further state that said Richard
Burgis was Lawfully married
to Elijah Hall who is the Grand
Mother of the said petitioners
& that grand Mother was
a Cherokee Indian by blood
& was a Lawful member of
the Cherokee Tribe.

Your petitioners [illegible]

state that the said petitioner Annie Wayland was lawfully married to T. J. Wayland & that the following are the children of said Annie Wayland who were born in lawful wedlock, to-wit:

Edward F. Wayland male age 17 years
William W. Wayland male age 12 years
Jesse L. Wayland female age 7 years
Florence [illegible] Wayland female age [illegible]

The following are the children of the said petitioner Minnie Griffin who is the lawful [illegible] of Chas Griffin a white man, to-wit:

Mabel Griffin female age [illegible] & mother-
All whom your petitioner
[redacted] & that said children were
by them born in lawful
wedlock & are all Cherokee
Indians by blood & entitled
to be enrolled as members
of said Tribe & they herewith
attach their proofs in support
thereof, except the rolls of the
Cherokee Nation [illegible]

Annie Wayland &c

v. Petition

Cherokee Nation

the names of the ancestors
of your petitioners.
Wherefore the premises duly
considered your petitioners
pray that they may be admitted
and enrolled as citizens of the Cherokee
nation — Annie Wayland
Marcum, Foard & Marcum } Minnie Griffin
Attys for petitioners } James Burgess

United States of America
District of Oklahoma
} ss
The above named
Annie Wayland & Minnie
Griffin say the statements
contained in the above
& foregoing petition
are true

Subscribed and sworn to before me
this August 29th 1906.

Annie Wayland et al
vs
Jim Spybuck
Chancery Petition

In the matter of the application
of Annie Wayland Quinnie Griffin
& James Burgess for Cherokee
Citizenship

I, [illegible] affiant
Jim Skyhuck [illegible]
first duly sworn states that
he is seventy nine years of age
a former by decapitation &
resident of the [illegible]
of Oklahoma [illegible] his Post office
is [illegible]
Affiant states that he was
well acquainted with
Richard Burgess & wife
Elizabeth Wolf [illegible]
Payne was Hall that time [illegible]
Cherokee Indians
by birth [illegible] here of the
Eastern band of Cherokee
Indians Prior to the treaty
[illegible] between the
United States & said [illegible]
Affiant states
that John Burgess was the
[illegible] son of the said
Richard Burgess & his wife
of aforesaid & that the said

John Burgess is the father
of said Annie Wayland
Minnie Gipson & James Burgess
who are brother & sisters
& the lawful descendants
in the lawful wedlock
of the said ~~Burgess~~ Richard Burgess
& his wife the said Petitioners
petitioners & of John Burgess
aforesaid the father aforesaid
of said Annie Minnie &
James that said Richard Burgess
& his wife aforesaid
were & resided Inchiuna
Ind. Terr. & were universally
& such by common repute
& as such families of the
said Richard & John Burgess
as well as in the community
in which they lived &
the Cherokee blood was
known shown by their
color & features. They were
always received & treated
as Cherokees by other Cherokees
& by all their neighbors that
he knows them in faith

Carolina among the
eastern band where
their rights as such were
never questioned or
denied as far as he
ever knew or heard
affiant further states that he was
a neighbor to said Richard
& John Ivey in North
Carolina & knows them
to be Cherokee Indians by blood

Jim Bigpluck

Subscribed & sworn to before
me this the 3rd day of August
1906

C. H. Cook
N. Public

In the matter of the application of Annie Maylard, Minnie Griffin & James Burgess for Cherokee Citizenship

The undersigned applicant J. B. Green being by me first duly sworn states that he is seventy two years of age, a farmer by occupation & a resident of the said Territory of Oklahoma, that his post office is Shawnee.

Applicant states that he was well acquainted with Richard Burgess & his wife Elizabeth whose maiden name was Ball & that they were both Cherokee Indians by blood & members of the Eastern band of Cherokee Indians prior to the treaty of 1835 between the United States & said Cherokees

Applicant further states that John Burgess was the lawful son of the said Richard Burgess & his wife aforesaid & that the said

John Burges is the father
of ~~the~~ the said Anne Wayland,
Mariam Gridden & Laura Burges
who are full sisters &
sisters & the lawful issue
& descendants in direct male line
of the said Richard Burges
this with the consent &
approbation & by the Burges
above said the Father of
the said Anne Wayland,
& Laura that said Richard
was & his son, & was born
& was known & called & reputed
& known by Common Voice
both in the families & the
said Richard & John Burges
as well as in the Community
in which they lived, &
the Character & Blood do as
plainly shown by their
Color & features. They were
always received & treated
as Christian by all Christian
& by all their Neighbours in
the Parish

Cardinal running the
eastern boundaries
their upstream so much more
than questioned de-
clined as far as he
knew & not or heard

J. C. Green

Subscribed & sworn to before
me this the 31st day of August
1914

C. H. Castle
Notary

End

Nation's No. 1731

Commission's No.

In re Application of

Thomas G Egan

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

M. A. Spyres

REGISTRY RECEIPT.

Post Office at

Registered ~~Letter~~ Parcel No. 760 Rec'd Sept 4 1896

at M. M. Edmiston

addressed to Chief S. H. Mayes
Tahlequah I. T.

, P. M.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation }

I, R. L. RUDISILL, do solemnly swear that on the 4 day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 760, hereto attached, is a receipt for said package, which contained true copies of the application of Manervis A. Spyres & John L. F. Bruton

and of the affidavits of Manervis A Spyres, Manervis A Spyres, Manervis A Spyres, Matthias Spyres, Watt Christie, John Ross, Calista M. Hellums, Levi Willis, Calista M. Hellums, Hugh Willis

in support of same. That affiant has no interest in this matter.

R. L. Rudisill

Subscribed and sworn to before me this, the 4 day of September, 1896.

Harvey C. Van Pelt

Notary Public. My Commission Expires May 11th, 1900.

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Manervis A Spyres for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Manervis A Spyres, being duly sworn, represents that She is a Cherokee Indian by Blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Rebecca Boudin, nee Sappford & John Sapp - petitioners Grand mother and Grand uncle, respectively whose name petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 184[illegible], was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Roby A. Spyres, nee Wyatt	35	Daughter
Jesse H. Wyatt	34	Son
Matilda E. Spyres	14	Granddaughter
Marion E. Wyatt	7	" Son
Joseph R. Wyatt	7	" "

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 53 years of age, and a resident of Westville I. T.

Your petitioner further states that She has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Manervis A Spyres

Subscribed and sworn to before me this 31 day of May, 1896

[illegible], Notary Public.

My commission expires

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of John L. F. Bruton for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, John L. F. Bruton, being duly sworn, represents that he is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Rebecca Bruton nee Langford & John Langford, petitioners Great Grand Mother and Great Grand Father respectively whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18 , was a Cherokee Indian by blood, through whom petitioner claims his rights to Citizenship in said Nation, together with the rights of his children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Celesta A Bruton	13	Daughter
Estelle A "	"	"
Ivey M. "	9	"
Charles H. "	7	Son
Coby L. "	6	Daughter
Lucile F. "	4	"
Noah D. "	1	"

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 37 years of age, and a resident of Vinita, I. T.

Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that his name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence he desires considered and prays that on the final hearing in the premises, his name and that of his children be placed on the rolls to be prepared, and applicant's rights, with those of his said children, be determined as per the proof herewith, and the laws and treaties governing.

John L F Bruton

Subscribed and sworn to before me this 31 day of May, 1896

W. F. Mitchell, Notary Public.

My commission expires

Cherokee Nation
Indian Territory } ss

Cleanerie A Sparrow being duly sworn says: That on the 26th inst, she went in person to Hon. D.H. Mayes, Chief of the Cherokee Nation I.T. and asked him to deliver to her certain affidavits filed before the Cherokee Council in fall of 1894, said affidavits having been filed in support of her claim for citizenship together with that of her family and John L. Drew, said affidavits being of ~~same~~ ~~Affiants~~ ~~same~~ ~~& Affiants~~, Mark Christie, John Rico, Colesta M. McClennes, Leni ~~M~~., Callista M. McClennes ~~and~~ Hugh Willis, and she asked for copies, and the said Chief refused to furnish me with originals on file or copies of same Affiant having retained certified copies of said Evidence filed before the said council which copies are hereunto attached & which reference is made. And affiant states that they are correct and true copies of the originals and that their contents are true as she believes.

That affiant informed said Chief that she wished said papers to file in support of her claim before the Hon. the Dawes Commission. Wherefore affiant prays that the said copies herewith be considered

in the investigation of her case with that also of her family and John L. F. Boudinot

Affiant further states that Rody A E Sappes nee Wyatt & Jesse H Wyatt, are son and daughter of affiant & affiants first husband, Marion B Wyatt, and that Matilda E Sappes Marion E. Wyatt and Jos. R. Wyatt are affiants grand children and that John L. F. Boudinot is a son of Enoch H. Boudinot who was affiants brother Esq. that Jesse Boudinot, a son of Rebecca Boudinot, all Longford, was father of affiant & Enoch H Boudinot

That Rebecca Boudinot nee Longford was a Cherokee Indian & blood and affiant believes she was on the So. Ca Cherokee Indian rolls recognized by the Cherokee Nation of people as a Cherokee; and that John Longford was a brother of affiants said Grand Mother the said great uncle of John L. F. Boudinot and great Uncle of affiant, he came to the Cherokee Nation in early years and he was a recognized Cherokee Indian by the Cherokee Nation Ind. Ter. that he is believes to have died during the war. — his name should appear among the rolls of Cherokee Indians up to about the commencement of the war.

That affiant or his ancestors to her knowledge have never taken allotments in the old Nation or upon Neutral Indian lands. Mary Ann A. Sappes

Subscribed and sworn to before me This 31 day of May 1876

W. S. Stanfield.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ... Nathan L. S. Boston ...

FOR ADMISSION TO CITIZENSHIP IN THE ... Cherokee ... NATION.

STATE OF Indian Territory)
COUNTY OF Sequoyah) ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared ... who, after being by me duly sworn, states:
That ... is ... years of age, and a resident of the State of Indian Territory and County of Sequoyah and that ... is personally acquainted with Nathan L. S. Boston who is an applicant for citizenship in the Cherokee Nation. Affiant further states:
Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That Nathan L. S. Boston is a son of [illegible] and grandson of Jesse Boston and Polly Boston, that [illegible] and that [illegible] that [illegible] and that [illegible] and that [illegible] and

I [illegible] by [illegible] that I have
copied the within [illegible] Record with
the [illegible] Address & to Pension [illegible]
of the [illegible] Battalion [illegible] Volunteers, U.S.
This August 22 1876
R. H. Albert
Notary Public

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ..... FOR ADMISSION TO CITIZENSHIP IN THE ..... NATION.

STATE OF ..... } SS.
COUNTY OF ..... }

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared ..... who, after being by me duly sworn, states:
That ..... is ..... years of age, and a resident of the State of ..... and County of ..... and that ..... ~~is personally~~ acquainted with ..... ~~who~~ is an applicant for citizenship in the ..... Nation. Affiant further states:
(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

Affiant further states: That ..... has known the said ..... for the past ..... years, and knows that ..... has been and is recognized by ..... neighbors, acquaintances and the public generally as having ..... Indian blood, and that the complexion and physical appearance of the said ..... indicate that ..... is of ..... Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said ..... he believes the said ..... to be a descendant by blood of the ..... Indian tribe.

Subscribed and sworn to before me this ..... day of ..... 1896.

..... NOTARY PUBLIC.

My Commission expires .....

GALLIHAN STAR PRINT.

This is to certify that I
have examined the Register and
Record of [illegible]
and find the same to be a true
transcript of that of the Cherokee
Nation of this August 24 1896

R. B. Ashley
Notary Public

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ..... FOR ADMISSION TO CITIZENSHIP IN THE ..... NATION.

STATE OF .....)
COUNTY OF .....) SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared ..... who, after being by me duly sworn, states: That ..... is ..... years of age, and a resident of the State of ..... and County of ..... and that ..... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

Affiant further states: That ..... has known the said ..... for the past ..... years, and knows that ..... has been and is recognized by ..... neighbors, acquaintances and the public generally as having ..... Indian blood, and that the complexion and physical appearance of the said ..... indicate that ..... is of ..... Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said ..... he believes the said ..... to be a descendant by blood of the ..... Indian tribe.

.....

Subscribed and sworn to before me this ..... day of ..... 1896.

.....
NOTARY PUBLIC.

My Commission expires ..... 1896.

BALLINGER STAR PRINT.

I do certify that I have inspected the within and above described Sea Coal, to be the first regular shipment of the Cargo of the Schr
Witness my hand, August 1896
Benj. Albright
Inspector Public

(Affidavit)

Creek Freedmen Final Roll

Muskogee I.T. June 14th 1895.

Personally appeared before me D. H. Lam, Clerk of the above named Court. Matt Christie who makes the following statement on oath to wit- I am a Muskogee Indian by blood- I am originally from the Nation which was then known as Georgia, North and South Carolina & Florida the same Nation in South America who was a part & P. Muskogee by blood- Said same Nation met & treat with the old Settlers Emigration same Nations. name Stand appear on the old Creek Roll.

Matt Christie
his mark

Sworn to and Subscribed before me this the 14th day of June 1895.

D. H. Lam Clk
Deputy Clerk of Georgia of Great Council Creek Nation

United States of America Western District of Arkansas S.S.

I William S. Rosecrans a Commissioner of the United States District Court, within and for the district aforesaid do hereby certify that the annexed affidavit was taken and subscribed before me at my residence in Muskogee in said District on the 21 day of December A.D. 1894.

Given under my hand at Eufaula Ind. Ter. this 26 day of December A.D. 1894.

William S. Rosecrans
United States Commissioner

(Affidavit)

[illegible] District
—— Chinese Matters ——

Personally appeared before me
the Clerk of said
District Court [illegible] the Marshal
duly sworn [illegible] Statement on oath to wit
[illegible] Chinese Matters [illegible]
[illegible] Chinese [illegible] 1/2
[illegible] with the said Letter
Immigration [illegible] Chinese Photo
appears in the said Letter Book
Page [illegible] Mark Page

Sworn to and Subscribed before
me this the 4th day of July 1892.

[illegible]
Clerk [illegible] District
Court

United States of America
Eastern District of Missouri

I, William G. Thomas a Commissioner
of the United States Circuit Court within and for the
District aforesaid, do hereby certify that the annexed
is a true and correct copy of an affidavit in a
certain [illegible] Case of the Original is Entered
to Record in my Office this 28th day of
November A.D. 1894.

[illegible]
United States Commissioner

(Witness)

Indian Territory
Cherokee Nation

Personally appeared before me D. K. Hastings, Clerk of Tahlequah District Cherokee Nation, Colin McNeil Williams and Thomas the following Statement on oath, to wit:- That I am well acquainted with Jessie Ranton and have known Malissa H. Owens for thirty five years and that Thomas G. Ross is the Father of the aforesaid Jessie Ranton & that the State that he was born & always recognized as Cherokee by the Weight Council & the Cherokee Nation

Sworn to and subscribed before me this the 17th day of Oct. 1894.

D. K. Hastings
Clerk of the aforesaid District & Nation

United States of America Western Dist. of Ark. ss. I, William M. Rogers a Commissioner of the United States District Court within and for the District aforesaid do hereby certify that the foregoing is a true and literal copy of the original Affidavit as Exhibited & sworn to & subscribed before me this 28 day of November A.D. 1894.

William M. Rogers United States Commissioner

(Affidavit)

U. S. of A. } In the District
Court of the United
States for the
Western District of
Arkansas
Fort Smith Division

Be it remembered that on this day came before me the undersigned Clerk of the United States District Court within and for the Western District of Arkansas, Fort Smith Division, Thomas Gallagher who after being duly sworn makes the following Statement to-wit:

That he is personally acquainted with the said [illegible] Negro and that to the best of his knowledge and belief the said [illegible] is the identical person who was [illegible] by the Commissioner of the United States Court at Fort Smith, Arkansas, on the [illegible] day of [illegible] 1878 and that the said [illegible] is now about [illegible] years of age.

Sworn to and subscribed before me this 15th day of Oct 1878.

[illegible]
Clerk of Western District
of Arkansas

State of Arkansas, } ss.
Western District of Arkansas.

I, [illegible] Clerk of the United States District Court, within and for the District aforesaid do hereby certify that the foregoing affidavit was taken and sworn to before me at my office in Fort Smith on the 15th day of October A.D. 1878.

[illegible], United States Commissioner

(Affidavit)

Going Snake District
Cherokee Nation

Personally appeared before me D. K. Hastings Clerk of aforesaid District and Nation Cherokee Nation. Who being duly sworn makes the following Statement on oath to wit. That She was known to D. K. Hastings all his life and knows Him to be the Son of Sam Hastings and the Son of Cooke H. Hastings. Subscribed & Sworn to before me Witness my hand and official seal this the 17th day of Oct. 1902.

D. K. Hastings
Clerk Going Snake Dist.
Cherokee Nation

United States of America, } ss.
Indian Territory & Northern Dist.

I, William T. Cravens a Commissioner of the United States Dist. Court, within and for the District aforesaid do hereby Certify that the within and foregoing Affidavit was taken and subscribed and Sworn to before me at Tahlequah Court House this 25th day of November A.D. 1902.

W. T. Cravens
United States Commissioner

(Affidavit)

Going Snake District
Cherokee Nation

Personally appeared before me D. H. Clark Clerk of the aforesaid First and Native Hugh Miller and made the following statement on oath to wit: I That I am personally acquainted with Amanda A. Foreman nee Rowton and know her to be the daughter of Jesse Rowton and that the said Jesse Rowton died in the State that the husband aforesaid was admitted to citizenship

his
Hugh + Miller
mark

Sworn to and Subscribed before me this the 17th day of Oct 1892.

D. H. Clark

Clerk of Going Snake Dist.
Original Seal
Cherokee Nation

United States of America
Western District of Arkansas. } SS.

I, W. M. Addison a Commissioner of the United States Dist. Court within and for said District aforesaid do hereby Certify that the foregoing deposition was taken and reduced to writing by the said Commissioner in the case therein stated and that the original affidavits to the said deposition are herewith returned this 28th day of November A.D. 1892

W. M. Addison United States Commissioner.

~~10408~~ 165

Manerris A. Spyres
& al
vs
Cherokee Nation

Filed Sept. 4. 1896

Filed Sept. 4- 1896.
T. B. McCannon,
Comr.

End

Nation's No.

Commission's No

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commissioner's No.

For citizenship in the Cherokee Nation

Your petitioner S. H. Mayes, [illegible] Cherokee Nation, respectfully represents and shows to the Commission to the Five Civilized Tribes as follows, to wit:

1st. That this Commission has jurisdiction of the subject matter of this petition and of the parties hereto.

2nd. That [illegible]

3rd. That [illegible]

4th. That [illegible] Nation, says that

through whom the petitioner claims [illegible]

Having fully answered all questions propounded to me I now respectfully ask to be hereby dismissed.

S. H. MAYES, Petitioner

By [illegible], Attorney

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, says that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible]

NOTARY PUBLIC

[illegible] GEORGE L. DAVIS, Choctaw COMMISSIONER to Indian
Affairs, Atoka, INDIAN TERRITORY.

Your petitioner Mrs. Mollie F. Smith, of Tyler, Smith County, Texas respectfully appeals to your Hon. Body for Citizenship in the Cherokee Nation, Indian Territory, in support of which she respectfully submits that she is one sixteenth Cherokee Indian, is a desendant of Isaac Thorn the full blood Cherokee Indian of Wake County North Carolina) as shown by the testimony and affidavits as follows.

[illegible] S. A. Smith, Tyler, Texas.

My wife, s name is Mollie F. Smith. Her maiden name was Mollie F. Bovett. My [illegible] as was her [illegible] and her mother, s name was Malissie [illegible]. My wife, s mother, s maiden name was Malissie Thorn. I hereby testify to the above and foregoing to be a true and correct statement. Sighned S. A. Smith.

Subscribed and swor to before me on this Sept, 2nd, 1898.

[illegible] Lott, Tyler Co. Court Smith Co. Texas. By W. H. Parker Dep.

[illegible] F. L. Walker, of Tyler, Texas.

I have known Mrs. Mollie F. Smith of Tyler, Texas, about twenty eight years She is a daughter of Malissie and John Bovett. Her mother was a daughter of Jesse S. Thorn of Alabama. Mrs. Mollie F. Smith is a Sister to Jesse James Bovett. Her Indian blood comes in on the side of her mother whos maiden name was Malissie Thorn. Mrs. Mollie F. Smith is the wife of Sam. A. Smith of Tyler, Texas. She is A very dark brunett and looks to be part Indian.

I hereby testify to the above and foregoing as a true statement Sighned.F. L. Walker. Subscribed and sworn to before me on this Sept, 3rd. 1898. Jno. A. Lott. Clers Co. Court Smith Co. Texas By W. H. Parker, Dep.

[illegible] Texas.

Nellie L. Sowell the daughter of Mrs. Malissie (or Lesie) Sowell and John Sowell Malissie Sowell was the daughter of Jesse G. Thorn. Thereby testify that the above and foregoing is a true statement. Elisemesh Thorn. Sworn to and signed before me this the 16th day of August 1900. W. Prestwood. Justice of peace & Pre. No. 1 Smith Co. Texas.

[illegible] Cuba, Ala. Cuba was Okla. OF CUBA. ALABAMA.

Malissie Sowell was a daughter of Jesse G. Thorn who lived near ~~Cuba, Alabama while employed by son-in-law Lewis Thorn~~ Cuba, Alabama and Jesse G. Thorn Jr. was the son of Mrs. Lewis Thorn and as a brother to James Thorn, Lewis Thorn and Temple Thorn, Cora Walker of York Ala. Nellie and Malissie Sowell of Tyler, are sisters. I knew Mrs. Lewis Thorn of Lake Cotton Cuba [illegible] Cuba [illegible]

[illegible] 16th day of August 1900. J. F. Woods. Notary Public [illegible] Seal.

W. 163

Please see letters re Petition [illegible] Bogel case containing ~~affidavits~~ relative to [illegible] Deeds is made in application of Elisabeth Thorn of Tyler, Texas and also of Mrs Mary Lou Breed of Cuba Alabama.

Testimony of Sam A. Smith.

Tyler, Texas; Sept. 2nd, 1896.

My wifes name is Mollie E. Smith.

Her maiden name was Mollie E. Boyett.

Her father,s name was John Boyett and her mother,s name was Malissie Boyett.

My wife,s mother,s maiden name was Malissie Thorn.

I hereby testify to the above and fore going to be a true and correct statement.

Signed. S A Smith

Subscribed and sworn to before me on this Sept 2, 1896

Jno A Lee
Clerk Dist Court Smith Co, Texas

By C W Porter Dep

No ~~2006~~ 3186

Mollie Smith
vs
Cherokee Nation

Filed Sept 7, 1894
U.S. McKennon
Comm

Refused

Official Directory of Smith County.

J. W. FITZGERALD, County Judge.

E. L. WALKER, County Attorney.

JNO. P. SMITH, Sheriff.

JOHN A. LOTT, County Clerk.

W. L. BOSTICK, Tax Assessor.



G. C. BURRUSS, District Clerk.

ED. B. WIGGINS, Tax Collector.

JOHN C. TARBUTTON, Treasurer.

MOSES PACE, Surveyor.

Tyler, Texas, [illegible] 189

[illegible]

to the best of my knowledge & Belief.

E. R. Bradshaw

Subscribed and sworn to before me this
the 4th day of Sept. 1896.

[illegible]

End

Nation's No. 11821

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs to said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors, whose blood he claims, ever resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 189.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at Rexford Texas

Registered Letter / Parcel No. 23 Rec'd 9 - 8 1896

of Rexford Bradley

Carlton Tex

addressed to S.W. Mayes Governor Chief of the Cherokee Nation Tahlequah I.T.

Service Affidavit.

State of Texas
County of Edwards

I D. [illegible] do solemnly swear that on the 8th day of Sept 1896 I sent a package registered at the Post Office at Rexford Texas addressed to S.W. Mayes Governor or Chief of the Cherokee nation Tahlequah Ind Ter.
That registry receipt No 23 here attached is a receipt for said package which contains One Copy of the [illegible] and of the affidavits of [illegible] and [illegible] in support of said Claim which is here to attached. That Affiant has no interest in the prosecution.

James D. [illegible]

Subscribed and sworn to before me this 8th day of Sept 1896

George B. Whippel

And I. George B. Whippel

REGISTRY RECEIPT.

Post Office at Roxton Tex

Registered Letter / Parcel No. 23 Rec'd Sept 8 1896

from Commissioner Gentry
Roxton Tex

addressed to S.W. Mayes Gov. & Chief
of the Cherokee Nation
Tahlequah I.T.

James M Kemp P. M.

Service Affidavit.

State of Texas
County of Lamar

I, D. [illegible] do Solemnly swear that on the 8th day of Sept A.D. 1896 I saw a package registered at the Post Office at Roxton Texas addressed to S.W. Mayes Governor & Chief of the Cherokee Nation Tahlequah Ind Ter. That registry receipt No 3 hereto attached is a receipt for said package which contains true Copies of [illegible] and of the affidavits of Benj Lewis and Mary Lewis in support of said claim which is here to attached. That Affiant has no interest in the prosecution.

James D Malone

Subscribed and sworn to before me this 8th day of Sept A.D. 1896

George B. Whipple
Notary Public

And I, George B. Whipple [illegible]

I do further certify that said J P Maxwell
is a creditable person and is entitled
to full credit for truth

George [illegible]
Notary
County

Application For Enrollment ~~~
Before the United States Commission to the Five Civilized Tribes of Indians ~~~

Amanda Endsley et-el. Petitioners.
Vs
Cherokee Nation Indian Territory Respondents.
} Application for admittance and Enrollment

To the above named Honorable Commissioners Your petitioner Amanda Endsley, states that her father Campbell Bennington was a Cherokee Indian by Blood ~~~

That Campbell Bennington lived in White County, Tennessee was born in the year of 1816 and died in the year of 1844 in White County Tennessee ~~~

That said Campbell Bennington was her father ~~~

That the said Campbell Bennington was duly recognized by the Cherokee Indians of Tennessee as an Indian by blood and that the said Campbell Bennington name should appear upon the duly authenticated rolls of the said Cherokee Indians.

Especially that part compiled in the year of 1835

Original

That petitioner and her bodily heirs are lineal descendents of the said Campbell Bennington —

That the said petitioner intermarried M. M. Endsley in Tennessee in the year of 1865 and became Amanda Endsley and from said marriage there were born unto said M. M. Endsley and Amanda Endsley the following Children To Wit Jno. T Endsley, Janess A Endsley, William A Endsley Mollie Endsley, Louisa Endsley, Mourde Endsley.

That Jno. T Endsley the above named son of your petitioner intermarried Delie C. Chamblee of Lincoln County Tennessee in the year of our Lord 188x and from said marriage there were born unto said Jno T Endsley the following named Children To Wit —

Tommie Endsley, Rosa Endsley, Cora Endsley, Johnnie Endsley, Ada Endsley, Dollie Endsley.

That all of the said Children are living in Lamar County, Texas.

That under the Constitution, laws usages and customs of said Cherokee Nation, Indian Territory and the laws of the United States and treaties with said Indians

That your said petitioners are entitled to all the rights, benefits, privileges and immunities of other Cherokee Indians by blood.

That there are now living legal descendents of your petitioner Amadda Endsley, persons as follows to Wit:-

Names	Age	Sex	Relationship to Campbell Bennington
Jos. T. Endsley	30	Male	Grandson
James A. Endsley	28	"	"
William A. Endsley	26	"	"
Mollie Endsley	24	Female	Granddaughter
Louisa Endsley	20	"	"
Monroe Endsley	12	Male	Grandson
Tommie Endsley	12	"	Great Grandson
Rosa Endsley	10	Female	Great Granddaughter
Cora Endsley	8	"	" "
Johnnie Endsley	6	Male	Great Grandson
Abbie Endsley	4	"	" "
Dollie Endsley	2	Female	Great Granddaughter

And that Mollie Endsley did ~~intermarry~~ year 1894 intermarry with J.C. Jordan and that the following named children were born unto the said Mollie Jordan and J.C. Jordan To Wit:

Names	Age	Sex	Relationship to Campbell & Bennington
Reuben Jordan	17	Male	Great Grandson

And further - That Louisa Endsley did in the year 1874 inter marry With W.F. Chamblee and that the following named Children were born unto the aforesaid Louisa Chamblee and W.F. Chamblee To Wit:

Name - Age - Sex - Relationship to Campbell ? Bennington

Carl Chamblee - 17 - male - Great grandson

Wherefore the premises considered your petitioner prays That her name with those of her said Children and grand Children as above named be admitted into said Cherokee Nation and enrolled as Citizens thereof.

Witness [illegible]

her
Amanda M. X Endsley
mark

Subscribed and sworn to before me this 5th day of Sept 1896

George T. Whipple
Notary Public in
and For Lamar County, Ts.

My Com exp. on 21st day of May 1897

Affidavit of Witness.

In the matter of petition memorial of Amanda Endsley for admission to Citizenship in the Cherokee Nation.

State of Texas
County of [illegible]

Before the undersigned a Notary Public in and for County and State aforesaid personally appeared Benjamin Vandergriff who after being by duly sworn states that is 35 years of age and a resident of the State of Texas and County of Lamar and his Post office address is Roxton Texas that he is personally acquainted with Amanda Endsley who is an applicant for citizenship in the Cherokee Nation. Affiant further states that he was personally acquainted with the petitioner Amanda Endsley and was satisfied she was of Cherokee [illegible]

Affiant further states that he knows the said Amanda Endsley for the past 15 years and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee Indian blood and that the Certificate

and physical appearance of the said Amanda Endsley indicates that she is of Cherokee Indian blood and descent. Affiant further says that from the above facts and circumstances and from what he has heard and knows of the family of the said Amanda Endsley he believes that the said Amanda Endsley to be a descendent by blood of the Cherokee Indian Tribe and a lineal descendent of the said Campbell Benningfield.

Benjamin [illegible]

Subscribed and sworn to before me this 8th day of Sept. A.D. 1896.

[illegible]
Notary Public
In and for Lamar
County, Texas

My commission expires this [illegible] day
[illegible]

2220 117

Amanda Endsley Et al
Vs Petitioners
Cherokee Nation Et Al Defs
Correspondence

B. F. Rousseau
attorney for Petitioners
P.O. Fenton Texas

Filed Sept 4 1891

Affidavit of Witness.

In the matter of petition and
application of Amanda Endsley
for admission to citizenship
in the Cherokee Nation.

State of Texas }
County of Lamar }

Before the undersigned a Notary
Public in and for the County and
State aforesaid personally appeared
Mary VanDerGriff who after
being duly sworn states
that she is 38 years of age and a
resident of the State of Texas and
County of Lamar and the Post Office
address is Paxton Texas. That
is personally acquainted with the
~~petitioner~~ Amanda Endsley, who is
an applicant for citizenship in
the Cherokee Nation. Affiant further
states that she was personally acquaint-
ed with petitioner Amanda Endsley and
was satisfied, the was of Cherokee
Indian blood.

Affiant further states that she has
known the said Amanda Endsley
for the past years and, knows
that she has been and is recognized
by her neighbors, acquaintances and
the public generally as having Cherokee
Indian blood and that the complex-
ion and physical appearance of the
said Amanda Endsley indicates

she she is of Cherokee Indian blood and descent. Affiant further says that from the above facts and circumstances and from what Affiant has heard and knows of the family of the said Amanda Endsley Affiant believes that the said Amanda Endsley is a descendant by blood of the Cherokee Indian Tribe and is a lineal descendant of the said Campbell Bennington.

Subscribed and Sworn to before me this 8th day of Sept 1906

POOR ORIGINAL
BEST AVAILABLE COPY

End

Nation's No. 3115

Commission's No.

In re Application of

James P. Brown

Demurrer and Answer.

Before the Honorables Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of [illegible] James D. E. M. Brown Nation's No. 3115

Commission's No.

for citizenship in the Cherokee Nation

Your respondent [illegible] Cherokee Nation, now comes and demurs the said application [illegible]

1st. That [illegible] matter for this controversy, and [illegible]

2nd. That [illegible] that the applicant [illegible] James D. Brown

entitled [illegible]

Respondent [illegible] upon the same be issued to said applicant, says that [illegible] Cherokee Nation, under the [illegible] right to [illegible] the Cherokee Nation, since the [illegible] that he [illegible] does not appear [illegible] Nation [illegible] ancestors now resident [illegible]

Hearing [illegible] passed

S. H. MAYES, Principal Chief Cherokee Nation

By Hastings & Latrenge & Buford Attorneys

I, the [illegible] Notary Public [illegible] matters [illegible] knowledge and belief.

Subscribed [illegible] 1896.

NOTARY PUBLIC

Before the Hon. Dawes
Commission to the Five
Civilized Tribes

In the matter of the
Claim of James
Brown and C. W. Brown
to Cherokee Citizenship

By way of
brief and argument we submit
that Claimants right to Cherokee
Citizenship and enrollment is
proven by establishing their relation-
ship to Mrs Brown's family Harris-
she is shown to be their mother.
The only serious question arises
on the sufficiency of the proof as
to the Cherokee blood of Jane
Harris. She is shown to have
been one-fourth Cherokee Indian
by the affidavits of Thomas White
and John Ross. They did not sign
the affidavits but the Officer certifies
that they were subscribed and sworn
to before him. The Arkansas Supreme
Court as is known by members of
the Commission has held that a
failure to sign in such case
is not fatal

The fact that the parties have
sworn to it is sufficient
The signing is immaterial
We have the testimony of two
disinterested witnessed to the
fact to be proved and in the
absence of any counter vailing
testimony or some modification
the same is prima facia established

Respectfully submitted
Henry Stone & Co
J. H. Evans

I Henry Stroup do solemnly
swear that on the 8th day of September
1896 at the Post Office at Muskogee
Indian Territory, I registered a package
addressed to The Hon S H Mayes Chief of
the Cherokee Nation Tellequah Indian Territory
for which I received from the Post
Master T M Berry the receipt No 191
herein attached which package contained
a copy of the application for Cherokee
Citizenship of James D Brown & G H Brown
and Copies of the affidavits of Mrs Rebecca
Carpenter, H. Lodgewood, Thomas White,
and John Ross in support of the same.
Witness my hand this Sept 8th 1896.

Henry Stroup

Subscribed and sworn to before me This
September 8th 1896

J. F. Wheeler
Notary Public
Term [illegible] 1899

REGISTRY RECEIPT.

Post Office at

Registered Letter / Parcel No. 71 Rec'd Sept 8 1896

of Henry Stroupe

Rebecca Ross

addressed to Hon S H Mayes

Tahlequah

P. M.

AFFIDAVIT.

James P. & Wm. Brown } Nation's No. 3173

vs.

CHEROKEE NATION.

Personally appeared before me, the undersigned E. W. Bufflington,
Thomas Rider and Jay Clark who being sworn states that they know
the reputation of John Ross, Sam White, Walt Christie
for truth and veracity in the neighborhood where they reside; that it is bad; that they are
known as "Standing Witnesses" in Citizenship cases; and that affiant would not believe them under
oath.

E. W. Bufflington
Thomas Rider
Jay Clark

Subscribed and sworn to before me this 2
day of July, 1896.

T. J. Bell
Notary Public

CHEROKEE PRINTING COMPANY, TAHLEQUAH, 6-27-95

1 (1)

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner James P Brown

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in Franklin County, State of Arkansas on 10 day of April 1848. My fathers name was W. W. Brown My mothers name was Jane Brown (nee Hall)

That I now reside in Logan County Ark.

and have resided there for 4½ years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature J. P. Brown

State of Arkansas
County of Logan } SS

NOW on this 4th day of Sept 1896 personally appeared before me C. J. Connellee a Notary Public for said county and state James P. Brown who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 4th day of Sept 1896

C. J. Connellee
Notary Public

My Commission Expires
Nov 24 - 1898.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned your petitioner, James B Brown for and on behalf of Mrs Children and being duly sworn, on oath states that he is over the age of twenty-one years, and makes this application to be placed on the proper roll of Cherokee Indians and to receive credit for his proportionate share in the distribution of funds and allotments of land in Cherokee Nation, as a citizen of the Cherokee tribe; and the said applicant further states that he is entitled to be enrolled as such Cherokee citizen, and to receive credit for his proportionate share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of the following facts, to wit:

Proof hereto Attached

In support of said claim and respectfully asked that [illegible] applicant be heard and heard.

Respectfully submitted

J. P. Brown

Enrollment of family, with relationship as follows:

NAME	AGE	RELATIONSHIP
W. R. Brown	21	Daughter
Rebecca Jane Brown	20	My daughter
John Randolph Brown	17	My Son
Mary Brown	15	" Daughter
Henry Brown	13	" "
George Brown	11	" Son
Jessie Brown	9	" "

In witness of which I hereunto set my hand on this [illegible] day [illegible] 1896

J. P. Brown

Application for Enrollment

To the Hon Comm'r of Indian Affairs &
Washington D.C. the undersigned, Post Office
Cotharin and Abernathy Co. Oregon,
United States Commissioners authorized by act
of Congress of June 4, 1896 to hear and determine
claims for Citizenship in the Cherokee Nation
respectfully represent. The undersigned your petitioner
J. A. Brown for and on behalf of my children
and minor heirship, makes this their application to you
for the purpose of being placed on the annual roll
of Cherokee Indians and of them entitled to
share in the distribution of funds and allotments
of lands in Cherokee Nation, by virtue of their
Cherokee blood and I herewith submit the
proof in that behalf.

In support of said claim and respectfully pray that the same

application should be
heard & tried

Respectfully submitted
J. A. Brown

Enrollment of the wife and children of J. A. Brown

J. A. Brown 49 years

For witness of which I have hereunto set my hand
on this 5 day September 1896 J. A. Brown

To the Honorable Henry L Dawes
and others Composing the Com-
mission to the Five Civilized Tribes
Your Petitioner George W Brown
a Cherokee by blood and a citizen of the United States and shows from the proof submitted to the Commission that he is a Cherokee by descent and by blood having been born in Franklin County State of Arkansas on the 15th day of Sept 1851 My fathers name was J W Brown My mothers name was Jane Brown Nee Harris That I now reside in Logan County Arkansas and have resided there for 47 years That the facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of said Nation with the United States a citizen of said Nation with all the rights privileges and protection of Citizenship in said Nation. Wherefore he herewith respectfully submits

to the Consideration of the
Honorable Commission
Such proof and on the
hearing he be adjudged entitled
to Such Citizenship and his Name
be placed upon the proper roll
as a Citizen of Such Nation

Signature [illegible]

State of Arkansas }
County of Logan }
Now on this 5th day of Sept 1896
personally appeared before me
[illegible] Connelly a Notary Public
for said County and State
Levy W Brown who being duly
sworn upon his oath States that
the facts Set forth in the foregoing
petition are Correct and true.
Subscribed and Sworn to before
me this 5th day of Sept 1896

[illegible]

Commission Expires
Nov 20 1898

State of Arkansas }
County of Sayne } ss

I Rebecca Carpenter
Carpenter being sworn, deposes & says
My Name is Rebecca Carpenter
My age is 72 years. My Post Office
address is Caulksville Sayne
County Arkansas. I have well and
personally acquainted with James
A. Brown and [illegible]
So the 3 [illegible] were born in Mrs
Rosetta Sayne County Arkansas
and is their Post Office. They are
[illegible] personally known to
James A. Brown and [illegible] Brown
who are applicants for citizenship
in the Cherokee Nation Indian
Territory and in support of their
claims this [illegible] is
James, and the sons of James
Brown whose maiden name was
Jane Harris - the Jane Brown
(nee Harris) came to [illegible]
about the year [illegible] from
Tennessee. Given under my
hand at Paris Arkansas this
26 September 1st 1896

Rebecca Carpenter
her mark

Attest
A M Nichols
Notary Public

State of Arkansas
County of Logan } ss

Personally
appeared before me a Notary
Public within and for the above
named County and State Rebecca
Carpenter to me well known to
be the person she represents
herself to be and a person worthy
of credit and Acknowledged
and subscribed to the foregoing
this September 4th 1867 Given
under my hand and official seal
this the above named date and
day

Notary Public

My Commission expires

State of Arkansas
County of Logan ss.

I, H. Ledgerwood
Clerk Circuit Court within and for said
County and State aforesaid do hereby
certify that Samuel R. Brown whose
name is subscribed to the foregoing
Affidavit as a witness was personally
acquainted with Samuel R. Brown the
Claimant and each of the three Post
Office Inspectors whose names are
subscribed to the foregoing Affidavit
as witnesses and that they are
each of them good men and
entitled to credit in a Court of
Law and that the said Samuel R. Brown
is the same identical person named
in the Certificate of Naturalization
hereto annexed and that the
Certificate is genuine and was
granted by the Court as therein
stated. And I further certify that
the Affidavits of the Claimant
and his witnesses were duly sworn
to before me and subscribed in my
presence.

Given under my hand
this the 1st day of September
A.D. 1866

H. Ledgerwood
Clerk

State of Arkansas
County of Logan

Personally appeared before me
Notary Public within and for
the County and State above named
J. W. Sedgewood to me well known
to be the person that he represents
himself to be and acknowledged
that he executed and subscribed
and sworn to the above and foregoing
instrument to be the truth and nothing
but the truth Witness my
hand and official ~~Signature~~ Seal this
September 2nd 1896

My Commission expires

AFFIDAVIT FOR CHEROKEE CITIZENSHIP.

CHEROKEE NATION)
District.)

Personally appeared before me

who after being duly sworn according to law, deposeth

and said:

that he resides at Cherokee in the District of the Cherokee Nation; M. Post Office is

that he is by blood Cherokee; that he resided in the old Cherokee Nation prior

that he never accepted the

that he is entitled to the privileges of Cherokee citizenship under article first of the treaty of

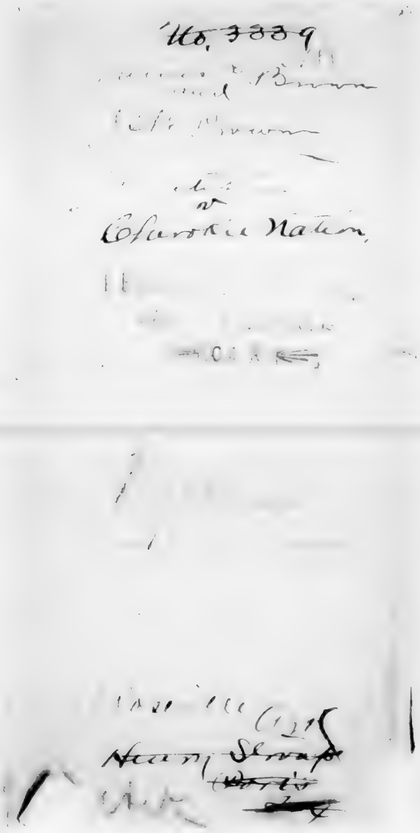
1835; that he did not join the Cherokees in the treaty of 1866 by which the Cherokees ceded to United States Government the three million acres of Cherokee

land opened for settlement; that he is subject to the requirements of the Cherokee laws governing the constitution of 1866.

That he appeared in person before the Cherokee National Committee at the session of said committee appointed to receive applications for Cherokee citizenship, and all such proof which is made to the fulfillment of

the Cherokee laws before said committee and recorded as proof that

Subscribed and sworn to before me on this the day of 189



AFFIDAVIT FOR CHEROKEE CITIZENSHIP.

CHEROKEE NATION, }
District. }

Personally appeared before me this day

who after having duly sworn according to law, deposeth and said:

I am a Citizen by blood of the Cherokee Nation. My Post Office is

I am personally acquainted with

and have every reason to believe that the said Cherokee Nation was

and has ever since been entitled to

and I am advised that under the rights and privileges of the Cherokees under article first of the treaty of 1846, and article second of the treaty of 1866, between the Cherokees and the United States, I am entitled to all the rights and privileges of a Cherokee citizen, and I make this application to the Cherokees and the Cherokee Nation, to the end that such proceedings may be had as will entitle me to be enrolled as a Cherokee citizen, and I further state that I am not a member of any other tribe of Indians.

Sworn to and subscribed before me this day of 189

POOR ORIGINAL
BEST AVAILABLE COPY

End

Nation's No. 2805

Commission's No.

In re Application of

Wm. C. Johnson

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Martha A. Johnson
Nation's No.
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right therefore to hear and determine the same.

2nd. That the application does not set forth facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving the foregoing said demurrer, but insisting upon the same for answer to said application, says that Johnson through whom the petitioner claim to derive right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory, and that his name does not appear on any authenticated roll of said Nation, that neither he nor any of his ancestors now reside, or ever have resided, in the Cherokee Nation and Indian Territory, as recognized thereby.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Harlin & Bowden et al. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the 15 day of [illegible] 1896.

[illegible]
NOTARY PUBLIC

LAW OFFICE OF
John L. Springston
John L. Springston,
GENERAL CLAIM AGENT,
P. O. Box 947.
FORT SMITH, - ARK.

Sept. 7th 1896.

Hon. H. L. Dawes.
Chairman of Commission on
Citizenships for Cherokees.

Sir: Herewith enclosed
please find the application of
Martha A Johnson, of Amory
Monroe Co. Miss. for admission
to the rights & privileges of citizen-
ship in the Cherokee Nation by
virtue of Cherokee blood —
This claim I am authorized
to file before your commission,
Created by Act of Congress,
for examination and adjudication
under the provisions of said
Act, as in all such cases the
proper authorities to try &
determine such questions
have vested in the Cherokee
Nation by treaty & the decision

of the Supreme Court of the
United States in noted
North Carolina test case on same
question — and which Author-
ity to adjudicate such questions
has since been delegated
by Act of Congress to try and
determine such questions, & to
further prepare a roll of the
citizens of said Cherokee Nation,
And which said enrollment will
follow in this case if decided
favorable to the Applicants —
In which event favorable
action is had on this application
the Applicant will petition further.

Very respectfully
John L. Sharrington

John L. Springston,
GENERAL CLAIM AGENT,
P. O. Box 647,
FORT SMITH, - ARK.

Muskogee I. T. 189 0,

Hon. H L Dawes, Chmn
U.S. Commission on citizenship

Sir:— The enclosed application of Martha A Johnson I prepared for her at her instance I was present when she subscribed to same, & when she was sworn to it before J C Byers, Notary. Said a true copy of same I have retained —

Truly, John L Springston

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

REGISTRY RECEIPT.

Post Office at Fort Smith, Ark

Registered Letter No. 393 Rec'd 9/7 1896

of [illegible]

addressed Hon Samuel Mayes
Tahlequah I.T.

Received Sep 7 1896 FORT SMITH, ARK.

Wm. Ben. Garrett. P. M.

Commission to the Five Civilized Tribes.

I, John L. Springston, do solemnly swear that on the 5 day of September, 1896, I saw a package registered at the post office at Ft Smith, Arkansas, addressed to Hon Samuel Mayes, ~~Governor~~ or Chief of the Cherokee Nation, Tahlequah, Indian Territory, that Registry Receipt No 393, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Martha A. Johnson and of the affidavits of [illegible] and [illegible] in support of same.

John L. Springston

Subscribed and sworn to before me, on this 5 day of September, 1896.

~~John L. Springston~~
M. B. Smith
Notary Public

My Com. ex. March 18 1900

POOR ORIGINAL
BEST AVAILABLE COPY

Obligation for Admission to Citizenship in the Phoenix Fire Co. of Manhattan Co. Price 1

Filed by John S. Symington.

#3750

7

Russell Johnson
to
Charles Clarke

Receipt

Sch. of Symington
St Smith
N.Y.

Application for citizenship in the Cherokee Nation by virtue of Cherokee blood.

To The Hon. Commission to try and determine claims to citizenship in the Cherokee Nation.

The undersigned Martha A. [illegible] your petitioner, a resident of Vinson Walker Co Miss. most respectfully asks to present for her application, to your honorable body, to be admitted to all the rights and privileges of citizenship in the Cherokee Nation by virtue of her Cherokee blood of which she is entitled. That she is possessed of, and in due time she will prove to your satisfaction by competent proof of such fact.

Claimant States that she is now 24 years of age, and was reared in the State of Texas — and that she is a descendant of the Watson family, and that [illegible] in time entitled in the Cherokee Nation, on the Arkansas River.

That by reason of her being part Cherokee by blood she makes this appeal for admission and recognition therein as other

Cherokees. —

Applicant further States that in due time she will furnish proof of the fact of her being of Cherokee descent and upon this ground she makes this her Application —

Applicant further States that she hereby appoints as her atty John L Hoffington of Ft Smith Ark to assist her in the preparation and presentation for prosecution this her claim for such Citizenship —

Claimant States that the Upshaws family were & are her ancestors and that they were formerly Citizens of the Cherokee Nation. and residents therein —

[illegible]

Subscribed & sworn to before me this 2nd day of Sept 1896

Application for admission to citizenship in the Cherokee Nation of Martha A Johnson of Amory Monroe Co. Miss —

Filed by John L. Pennington.

#3150

7

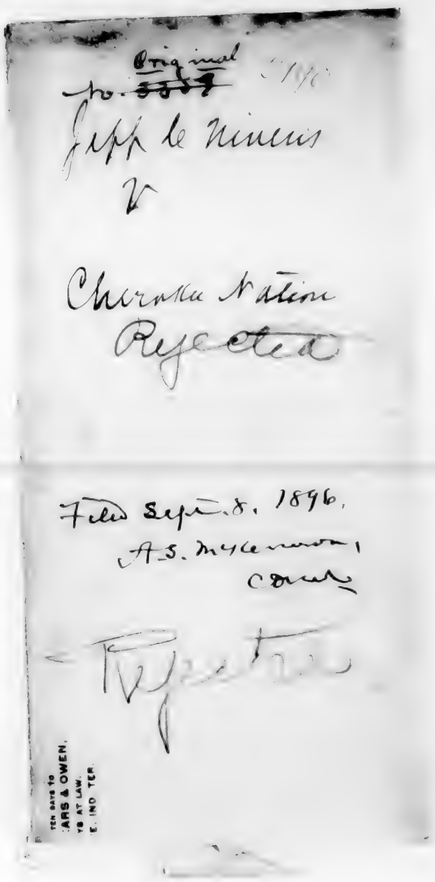
Martha A. Johnson
Amory
Monroe Co.
Miss.

Cherokee Nation

Blue Book

Johnson, Martha A.
Amory
Monroe Co.
Miss.

End


Original
No. 5517
Supp to Nimrod
v
Cherokee Nation
Rejected

Filed Sept. 8. 1896.
A.S. McClennon
Clerk

Rejected

TEN DAYS TO
JARS & OWEN,
TO AT LAW
E. IND. TER

Nation's No.

Commission's No.

In re Application of

For

Demurrer and Answer.

For

A. S. McKENNON

Com'r

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his said second demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

United States of America
Indian Territory
Northern Judicial District

This day personally appeared before me the undersigned Notary Public in & for the said District & Territory, Delia Davis who being first duly sworn states that she is a Resident of Van Buren Arkansas that she is twenty two years of age, that she is a single-unmarried woman. That she is the mother of a boy now two years old since the 7th day of May 1896.

That said boy Jeff Clarence Nimens was begotten & born out of lawful wedlock. That Jeff [illegible] is the father of said boy, that said Jeff le Nimens is an Indian by blood & a member of the Cherokee Tribe of Indians.

Affiant states the facts to be that she is the sister in [illegible] said Jeff le Nimens, that at the time of her conception which resulted in the birth of said Child Jeff le Nimens Jr. she was residing at Muskogee I.T. with her said Brother in law & their sister where she had resided for nearly one year

That during the time she resided

with [illegible] brother in Law she was
poor & impecunious & was compelled
to work for a living at a Printing
office. That while she resided with
said Nimens his wife was frequently
away from home & she was unavoidably
left alone in his Company at his
house & frequently at nights & during
those times he constantly made over-
-tures of affection to her & displayed
in his manner towards her very
marked attention & finally began
making frequent professions of
extreme devotion all the time
extending to her all sorts of
Considerations made her presents
& by his artfulness & in the manner
aforesaid & owing to her loneliness
& helplessness he finally after a
reading of some four months
without for the greater part of the
time [illegible] his object
& purpose & after much endeavor
he finally overcame her better
Judgement & lured her into
yielding to his embraces which
resulted in said Conception & birth.

She further states that she has
never at any time had any
illicit relations with any other
man than the said Nimens & she is
therefore absolutely positive that

the said Nimmons is the father of said Child. She states that she is a white woman & a citizen of the United States. She states that she has received several letters from said Nimmons in which he agrees to support said Child & the affiant. One dated April first 1894 at Muskogee I.T. addressed to Mr. B Masons affiants uncle. One to affiant dated July 19th 94 written at Trenton Georgia. One dated Muskogee I.T. April 7th 1894. All of which said letters are hereto attached, referred to & made part hereof. Affiant further states that she has thus given in detail the particulars of her downfall that the blame may fall upon him who alone caused it & that the innocent Child aforesaid may succeed to the rights to which she believes it entitled under the facts above stated

Subscribed & sworn to before me
This 22d day of July 1896.

S A Sears
Notary Public.

Affidavit of
Della Davis

In Re
Application
of

Registered

Registered

Pearl Eddleman

L. A. Sears

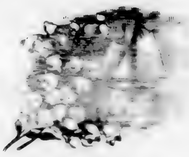
pk

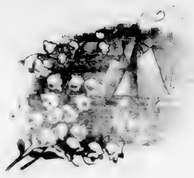
Jeff E. Simms

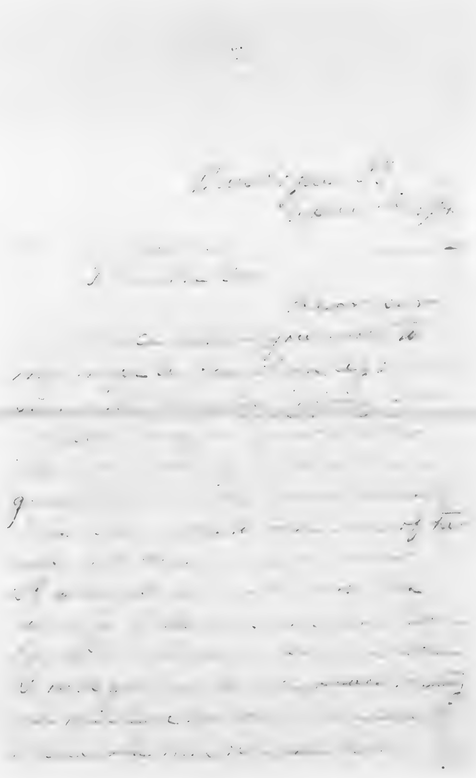
L. A. Sears

pk

Pearl Eddleman









Trenton Ga
July 17 1874

Miss Della Dear
Della I am here in your
town come to see you come
you come up to the Hotel
right away I want to see
you on business be sure and
come don't tell any one
about me come at once
and ask for me I will
be in my Room to see
and come yours truly

J C Thomas

End

3191

Application No 3758

Miles Worton

vs

Cherokee Nation

[redacted]

[redacted]

[redacted]

Nation's No. 3058

Commission's No.

In re Application of

Millie Woodson et al

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of the application of

Nation's No. 3 C

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and to the allegations therein says:

1st. That this Court has no jurisdiction of the person or of the subject matter of this controversy, and no legal right to entertain said application for citizenship.

2nd. That the said applicant has not in the petition filed herein shown that he is entitled to citizenship.

Respondent not waiving, but expressly insisting upon the foregoing objections to said application, says that he does

through whom he claims citizenship in the Nation, ever resided in the Cherokee Nation, since the removal of said Nation, West to the Indian Territory, and is located and situated, that his name does not appear on any of the rolls of said Nation, and neither he nor any of his ancestors have resided, or ever have resided in the Cherokee Nation and Indian Territory, as it has its root.

Having fully answered the respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings & Hastings & White, Attorneys.

I, the undersigned Executive Secretary, Cherokee Nation, having been first duly sworn states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this the 29 day of [illegible] 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at Fort Smith, Ark

Registered Letter / Parcel No. 396 Rec'd 9/7 1896

of Thos. B. Latham

addressed Saml. Mayes
Tahlequah I.T.

Received SEP 7 1896 FORT SMITH, ARK.

Wm Garrett P. M.

Commission to the Five Civilized Tribes.

I, John B. Latham do solemnly swear that on the 11 day of September 1896, I saw a package registered at the post-office at Fort Smith Arkansas addressed to Hon Samuel Mayes ~~Governor~~ or Chief of the Cherokee Nation, Tahlequah Indian Territory, that Registry Receipt No 396 received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Miller Morton and of the affidavits of Rowe L. Mayes and in support of same.

John B. Latham

Subscribed and sworn to before me, on this 17 day of September 1896.

State Ark.
County Sebastian

Thos B Latham Notary Public

My Com. expires Mch 14. 1900.

Miller Morton

Application for Cherokee Citizenship.

To the Honorable Dawes Commission:

The undersigned respectfully petitions and memorializes your honorable body for admission to the rights and privileges of citizenship in the Cherokee Nation, under the treaties and laws of said Nation, and the United States. Your petitioner states that her immediate family consists of the following named persons, for whom she asks the privileges of citizenship with petitioner, to-wit:

Name of my grand-

Names of Children.	Ages.	Names of Children.	Ages.
		David Walls	29
Addie Walls	53	Allen Harvey	12
		Minnie Harvey	10

As grounds for asking admission to citizenship in the Cherokee Nation, Indian Territory, your petitioner states:

That petitioner was a Miller Morton and was born in 90 years ago at Red Clay Cherokee Nation and came from the Old Cherokee Nation east to Indian Territory and is a Cherokee Indian having a small trace of negro blood in her veins mostly a full blood Cherokee Indian and belonging to the Ross family of Indians.

Petitioner has a daughter living named Addie Walls and 2 grand children named above who she asks Your Honorable Commission to

STATE OF Arkansas
COUNTY OF Sebastian } ss

I, Miller Morton by Addie Walls her daughter and next friend

On this 7 day of Sept 1896, personally appeared before me, the undersigned, a Notary Public, within and for the County and State aforesaid, Addie Walls who, after being duly sworn by me, says: That the statements set forth in the foregoing petition and memorial for Cherokee citizenship are true, as he verily believe.

Subscribed and sworn to before me the day and date last above written.

Jno. D. Barham
NOTARY PUBLIC.

My Commission expires, March 14 1900 1899

Affidavit of Witness.

In the matter of Petition and Memorial of Millie Worden
for Admission to Citizenship in the Cherokee Nation.

STATE OF Arkansas
COUNTY OF Sebastian } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Horace P. Norman who, after being by me duly sworn, states: That he is 42 years of age, and a resident of the ~~State~~ of Cherokee Nation and ~~County~~ of Illinois District, and that he is personally acquainted with Millie Worden who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That said Millie Worden claims to be 90 years old and looks to be a full blood Cherokee Indian.

Affiant also knows Eddie Walls the daughter of said Millie Worden, and her grandchildren Rose Walls, Allie Harvey and Marcia Harvey and they all appear to be of Cherokee Indian blood.

Affiant further states: That he has known the said Millie Worden for the past 15 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally, as having Cherokee Indian blood, and that the complexion and physical appearance of the said Millie Worden indicate that she is of Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Millie Worden he believes the said Millie Worden to be a descendant by blood of the Cherokee Indian Tribe.

Horace P. Norman

Subscribed and sworn to before me, on this 7th day of September, 1896.

Thos. B. Sutton
NOTARY PUBLIC.

My Commission expires March 14 1900.

Affidavit of Witness.

In the matter of Petition and Memorial of Millie Worden
for Admission to Citizenship in the Cherokee Nation.

STATE OF Arkansas
COUNTY OF Sebastian

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Horace P. Norman, who, after being by me duly sworn, states: That he is 45 years of age, and a resident of the ~~State~~ of Cherokee Nation and ~~County~~ of Seminole District, and that he is personally acquainted with Millie Worden who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That Mrs Millie Worden seems to be 90 years old and looks to be a full blood Cherokee Indian. Affiant also knows Eddie Walker the daughter of said Millie Worden and her grand children Rosie Walker Ollie Harry and Minnie Harry and they all appear to be of Cherokee Indian Blood.

Affiant further states: That he has known the said Millie Worden for the past 15 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally, as having Cherokee Indian blood, and that the complexion and physical appearance of the said Millie Worden indicate that she is of Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Millie Worden he believes the said Millie Worden to be a descendant by blood of the Cherokee Indian Tribe.

Horace P. Norman

Subscribed and sworn to before me, on this 7 day of September, 1896.

Thos. B. Gorham
NOTARY PUBLIC.

My Commission expires March 14 1900.

End

Nation's No. 661

Commission's No.

In re Application of

Anderson Burton.

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Anderson Burton

Nation's No. 661

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that James Bartlet Burton through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Fielding, Harlin & Bandeen, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the ( ) day of , 1896.

NOTARY PUBLIC.

3/92 No. 3157

Papers the Dawes Commission on Citizenship in the Five Tribes.

#

Anderson Burton

vs

The Cherokee Nation

#

Petition & Proofs

John Watkins
For Petitioner
Muscogee I.T.

[redacted]

[illegible]
[illegible]
Charles H. Burton of [illegible] on being duly sworn deposes
[illegible] on the [illegible] 3 day of [illegible] October 1900, I delivered a true
copy of the [illegible] notice to [illegible] to the [illegible] U. S.
Marshal, [illegible] proof of the [illegible] of the same to [illegible]
[illegible], at his [illegible] office. Chas. H. Burton

[illegible] me this 4th day of [illegible]
1900.

John H. Douglas
[illegible]

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Anderson Burton undersigned respectfully states that he is a Cherokee by blood and desires to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. He claims his said Indian blood from James Burton who was his Grandfather who was a Cherokee Indian by blood.

Your petitioner states that his Grandfather was also known by the Name of James Burdon

Your petitioner states the above facts as the reason and basis of his application for citizenship in the Cherokee Nation, and that he is entitled to be enrolled as such and that said facts may be fully investigated by your Honorable Commission and that he may be given such action by your Honorable Commission as he is entitled to as a Cherokee, Nation of Indians and entitled to all the rights and benefits accruing thereto as citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 39 years. My Post Office address is Clifton Hill Mo.
My family consists of the following-named persons: My wife Susan C. Burton and children as follows:

Zella Ada Burton	aged	16 years
Samuel Bartlett Burton	aged	11 years
Bessie Florence Burton	aged	6 years
	aged	years
	aged	years
	aged	years
	aged	years
	aged	years
	aged	years
	aged	years

WITNESS my hand this 17 day of July 1899

Anderson Burton

State of Missouri
County of Randolph

Personally appeared before me the undersigned authority Anderson Burton to me known to be the petitioner in the above petition who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has read (or heard read) the said petition, and that the facts stated therein are true as he verily believes.

Anderson Burton

Subscribed and sworn to before me at Moberly Missouri this 17 day of July, A.D. 1899. My term expires April 22nd 1899

Willard P. Gaw
Notary Public

Originals of this testimony are attached to petition of Charles W. Burton et al.

In the matter of the claim of Charles W. Burton, John B. Burton Mrs. Frances Lynn, Sarah F. Dunevent and Anderson Burton for citizenship in the Cherokee nation.

State of Missouri
County of Randolph ss.

W. J. Stamper of lawful age being duly sworn, on his oath deposeth and saith:

My name is W. J. Stamper: My age is 62 years I live in Clifton Hill in Randolph County Missouri and have lived in Randolph county 58years. I knew James W. Burton the grand father of the above named applicants John B. Burton, Mary Frances Lynn, Sarah F. Dunevent and Anderson Burton. He died about 14 years ago in this county. He was pointed out and recognized by the people as a Cherokee Indian. I have talked with him many times and he always told me he was Cherokee Indian. I first knew him in the state of Kentucky in about the year 1839 or 1840 and have known him since to the date of his death. His features showed his Indian blood very clearly. I have been Judge of the County Court of this county: And further deponent saith not

W. J. Stamper

Subscribed and sworn to before me this August 27th 1896
C. B. Alexander J. P.

State of Missouri
County of Randolph ss.

John B. Burton, Mary Frances Lynn, Sarah F. Dunevent each being severally sworn on their oaths depose and say:

We are the children of James W. Burton deceased, and our said father was the son of James W. Burton who was a Cherokee Indian. We were all born in Ohio County Kentucky and our father and grand father were from Tennessee and moved from Tennessee to Kentucky and in about 1850 we all moved from Kentucky to Randolph county Missouri. Our father died in this county about six years ago and our grand father died about fourteen years ago, in this Randolph County Missouri. We have all known from our earliest childhood that our said grand father was a Cherokee Indian, and in this county an the neighborhood where our grand father lived, it was generally known by the old settlers that our said grand father was a Cherokee Indian. We mention the following citizens of Randolph County Missouri who knew our said grand father in Kentucky prior to his removal to Missouri to-wit: Sam Cobb, Judge W. J. Stamper, Elijah Martin Thomas Stamper and Dudley James. And further deponents say not.

John W. Burton
Mary Frances Lynn
Sarah F. Dunevent
Anderson Burton.

Subscribed and sworn to before me a Notary Public within and for Randolph County Missouri this August 26 1896. My Term expires April 22 1899
(Seal)

Willard P. Cave
Notary Public

State of Missouri
County of Randolph.

Elijah Martin of lawful age being first duly sworn on his oath deposeth and saith:

My name is Elijah Martin; My age is 80 years. I live in Clifton Hill Randolph County Missouri and have been in Randolph county Mo. for 83 years. I knew James W. Burton the grand father of the above named John W. Burton, Mary Frances Lynn, Sarah E. Dunevant and Anderson Burton. I knew him in Kentuck before he came to Missouri He was always known and recognized as a Cheroke Indian and I have talked xxxxxxxxx with him many times and he always told me he was Cherokee Indian. He came from Tennessee to Kentucky. Was full blood. Very strictly his Indian blood. He told me about living with the Cherokee Indians in Tennessee and further deponent saith not.

his
Elijah X Martin
mark

Attest

J. . . mann

Subscribed and sworn to before me this August 17th 1899
My Term expireres the 13th January 1899.
(Seal)

. J. . . .
Notary Public.

State of Missouri
county of Randolph ss

Thomas M. Stepper of lawful age, being first duly sworn on his oath deposeth and saith.

My name is Thomas M. Stepper. My age is 55 years I have been in Clifton Hill in Randolph Co. Mo. and have lived in Randolph county Mo. for 42 years. I knew James W. Burton in my life time. He was the grand father of the above named John W. Burton, Mary Ann Frances Lynn, Sarah E. Dunevant and Anderson Burton. I knew James W. Burton died about 14 years ago He came from Owen county Kentucky to this country about 1806 He was known and recognized by all who knew him as a Cherokee Indian I knew him back in Kentuck and he was known in Kentucky as a Cherokee Indian and further deponent saith not.

T. M. Stepper

Subscribed and sworn to before me this August 17 1899.
My Term expires 13 January 1899.

(Seal)

. J. Stepper
Notary Public

State of Missouri
County of Randolph ss.

Samuel Cobb , of lawful age being duly sworn on his oath deposeth and saith:
My name is Samuel Cobb My age is 40 years. I live in Clifton Hill in Randolph County Missouri . I know James A. Burton grand father of the above named claimants John B. Burton, Mary Frances Lynn, Sarah F. Dunevant and Anderson Burton He lived near our home from about 1836 to the date of his death about 14 years ago. He was always known and recognized by the people as a Cherokee Indian. He was originally from Tennessee. I have talked with the said James A. Burton many times and he has often told me that he was a member of the Cherokee tribe. I also by his features very plainly that he was of Indian birth.

Samuel Cobb

Subscribed and sworn to before me this 7th day of August 1886
My term expires January 1st 1890.

W. J. Stamper
Notary Public

(Seal)

State of Missouri
County of Randolph ss

Anderson Burton of lawful age being first duly sworn, on his oath deposeth and saith:
My name is Anderson Burton My age is 65 years. I live near Salisbury in Chariton County Missouri. I am an uncle of the above named John B. Burton, Mary Frances Lynn, Sarah F. Dunevant and Anderson Burton. My father James A. Burton was the grand father of the above named persons. My said father James A. Burton was a Cherokee Indian and he moved from Tennessee to Owen County Kentucky where he lived many years until about the year 1836 when he removed to Randolph County Missouri. I was born in the state of Tennessee and lived many years among the Cherokee Indians in Tennessee until we moved to Kentucky. My father's family have been known as far back as I can remember as Cherokee Indians. Further deponent saith not

his
Anderson X Burton
mark

Bill W. Johnson

Subscribed and sworn to before me this August 26 1886.
My term expires January 1st 1890

W. J. Stamper
Notary Public

(Seal)

End

319 N.D. 3/25

Before the Dawes
Commission on
Citizenship in the
Five Tribes

#

Mary Frances Lynn,

vs

The Cherokee Nation.

#

Petition & Proofs.

#

Filed
Mar 31 1900
Walkins
for Petitioner
Muscogee I.T.

Indian Territory
Northern District

Charles M. Burton of lawful age being duly sworn deposes and says that on the 13th day of September 1896, I delivered a true copy of the attached petition and testimony to the Honorable S. H. Mayes, Principal Chief of the Cherokee Nation at the town of Tahlequah in said Cherokee Nation. C. M. Burton

Subscribed and sworn to before me this 14th day of September 1896.

John H. Kerr

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner Mary Frances Lynn undersigned respectfully states that She is a Cherokee by blood, and desires to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That She derives her said Indian blood from James Burton her grandfather who was a Cherokee Indian by blood.

Your petitioner states that her grandfather was also called By the Name of James Burden

Your petitioner states the above facts as the basis of her application for citizenship in the Cherokee Nation, and prays that she may be duly investigated by your Honorable Commission and that she be admitted to citizenship in the Cherokee Nation of Indians and entitled to all the rights and privileges of such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 37 years. My Post Office address is Moberly Missouri
My family consists of the following-named persons: My Husband, L. J. Lynn and children as follows:

Bertha May Linn	aged 15 years
Louis Wesley Linn	aged 11 years
Charles William Linn	aged 5 years
	aged years
	aged years
	aged years
	aged years
	aged years
	aged years
	aged years

WITNESS my hand this 17 day of July
Mary Frances Lynn

State of Missouri
County of Randolph

Personally appeared before me, the undersigned authority, Mary Frances Lynn to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that She is the petitioner in the above petition that She has read the same and that the said petition and that the facts stated therein are true as She verily believes.

Mary Frances Lynn

Subscribed and sworn to before me at Moberly Missouri
this 17 day of July A.D. 1896 My term expires April 22nd 1899

Willard P. Cave
Notary Public

Originals of the Petitions of
Attached to Petition of
Charles M. Burton for Pardon

tate of Missouri
ounty of Randolph

Elijah Burton" lawful age being first duly
sworn on his oath deposeth and saith

My name is Elijah Burton; My age is 70 years I live in Clifton
Hill Randolph county Mo. for 18 years. I know James E. Burton and
grand father of the boys named John E. Burton, Mary Frances
ynn, Sarah E. Dunevent and Anderson Burton. I knew him in Kentucky
before he came to Missouri. He was always known and recognized as
a Cherokee Indian and I have talked with him many times and he
always told me he was a Cherokee Indian. He came from Tennessee to
Kentucky. His features showed very plainly his Indian blood. He
told me about I was a Cherokee Indian in Tennessee
far I can remember at all now.

Elijah [illegible]

[illegible]
subscribed and sworn to before me this 27th day of
[illegible]
Notary Public

(Seal)

State of Missouri
County of Randolph ss.

Thomas [illegible] Stepper of lawful age being first
duly sworn on his oath deposeth and saith.

My name is Thomas Stepper. My age is 80 years I live in
Clifton Hill in Randolph county Mo and have lived in Randolph
county Mo. for 40 years. I know James E. Burton and have
[illegible] the father of the boys named John E. Burton, Mary
Frances [illegible] Dunevent and Anderson Burton. [illegible]
Burton was about 11 years ago. He came from [illegible]
Kentucky to this county about 1878. He was known and recognized by
the people as a Cherokee Indian.

I knew him back in Kentucky and was known [illegible]
[illegible]

Thomas Stepper

Subscribed and sworn to before me this [illegible]
[illegible] term expires [illegible]

J. [illegible]
Notary Public

(Seal)

State of Missouri
County of Randolph ss.

Samuel Cobb of lawful age being duly sworn deposeth and saith: My name is Samuel Cobb : My age is 45 years I live in Clifton Hill in Randolph County Missouri I knew James W. Burton grand father of the above named claimants John B. Burton Mary Frances Lynn Sarah E. Ducvent, and Anderson Burton. He lived near my home from about 1900 to the date of his death about 14 years ago. He was always known and recognized by the people as a Cherokee Indian. He was orignally from Tennessee. I have talked with the said James W. Burton many times and he has often told me about being a member of the Cherokee tribe. He showed by his features very plainly that he was of Indian [illegible] birth

Samuel Cobb

Subscribed and sworn to before me this 17th day of August 1990 My term expires January 15 1990

D. J. Stamper
Notary Public

(Seal)

Anderson Burton of lawful age being first duly sworn upon oath on saith. My name is Anderson Burton. My age is 75 years I live near Salisbury in Chariton county Missouri I am a uncle of the above named John W. Burton xxxxxxxxxxxxxxxxxxxxx Mary Frances Lynn, Sarah E. Donovanent, and Anderson Burton. My father James W. Burton was the grand father of the above named persons. Myesid father James W. Burton was a Cherokee Indian and he moved from Tennessee to owen county kentucky and lived there until about the year 1806 when he moved to Randolph county Missouri. I was born in the ste of Tennessee and we lived among the Cherokee Indians until we moved to kentucky. My father's family have been known as far back as I can remember as Cherokees Indians and further deponentsaith not.

his
Anderson X Burton
mark

Will M. Wyman

Subscribed and sworn to before me this August 30 1906
my term expires January 15 1910

(Seal)

O. J. Sterper
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

Nation's No. 667

Commission's No.

In re Application of

Francis Lymno

Demurrer and Answer.

FILED SEP 1 5

A. S. M. KENNON

COM R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of:

Frances Lyons

Nation's No. 663

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving the foregoing demurrer, but insisting upon the same for answer to said application, says that Frances Lyons Bartlett Burton

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and declared, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as claimed by

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Ledbetter Hastings & Landrum Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the ( ) day of , 1896.

NOTARY PUBLIC.

End



#45

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT

In the United States Court for said District

In the matter of the application of Mary D.Hart Beard et als to be enrolled as citizens of the Cherokee Nation

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Mary D. Hart Baird, Charles F. Baird, James T. Baird, Shirrge D. Baird, and Frank D. V.Baird et als

to be enrolled as citizens of the Cherokee Nation, to reverse the decision rendered [illegible]

to the United States Court for the Northern District of the Indian Territory, and I am commanded & required by said Court to transmit at the earliest time practicable to said Court at Muskogee Indian Territory a transcript of all the entries made in the docket of said tribunal in said cause, together with the depositions and testimony taken before said tribunal, the decision of the Court [illegible] and all papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof at Muskogee Indian Territory, this 14th day of Dec. 1896 A.D. 1896.

[illegible] Clerk.

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation } ss.

I, J. N. BALDWIN, on solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and W.M. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J N Baldwin

Subscribed and sworn to before me this [illegible] day of September, 1896.

M. A. Dubois Notary Public

My commission expires [illegible] 1899.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To [illegible]:

Your petitioner, [illegible], carefully and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his lineal ancestor, the late [illegible], through [illegible]

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible] age [illegible] years residence [illegible], in the State of [illegible] postoffice address [illegible], County of [illegible] State of [illegible] occupation that of [illegible]

Attesting witnesses.

[illegible] [SEAL]

[illegible] [SEAL]

Most Respectfully Submitted.

E J Barker [SEAL]

STATE OF [illegible]

COUNTY OF [illegible]

Personally appeared before me [illegible] in and for said county in the State aforesaid [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being sworn according to law states that the facts set forth in said petition above are true as stated therein this the [illegible] day of [illegible] 1896

E J Barker [SEAL]

Attesting witnesses.

[illegible] SEAL

[illegible] SEAL

Subscribed and sworn to before me [illegible] as aforesaid, on this [illegible] day [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible], 1896.

P Blevins

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

... To Cherokee Indian Citizenship.

AFFIDAVIT OF

... A. D. 189... personally before me ... Hartley ...
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
... years, a resident of ...
... whose postoffice is ... who after
... sworn according to law, says that ... Indian by ... and
... Indian citizenship. Affiant further says on oath ...

... family, whose name he believes appears
... that were taken ... United States government, by blood, of the Cherokee tribe of
... says that he believes the said ... to be of Cherokee
... tribe of Indians.

... he has been taught and has heard from his earliest youth that he is a descendant
... and that he has been recognized and treated by his neighbors and
... Indian blood and that from his complexion and physical
... to believe and does believe that he is of ... Indian blood
... and Cherokee and at least one ... Indian by blood.

... says the above statements are true to the best of his knowledge and belief.

E J Barker

Subscribed and sworn to before me, this ... day of ...
A. D. 189..., and I further certify that the foregoing affidavit was read to affiant
by me in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

... Hartley ...

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] **SAMUEL DAVIS.**

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASIE, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe } ss.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances: that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelic Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurley, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. P. Brooks Notary Public.

My commission expires March 1900

POOR ORIGINAL
BEST AVAILABLE COPY

Affidavit of Witness.

INDIAN TERRITORY. } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared F. H. Gilbreath, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Jefferson, in said County, and that he is personally acquainted with Eli H. Benton, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Eli H. Benton is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

F. H. Gilbreath

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

W. H. Dobbs, Notary Public.

My Commission expires, March 7, 1900.

#2471

IN THE MATTER OF

Claim to Citizenship of

Nation I. T.

No.

Filed Sept 8th 1896

Recommended

John Burris

Silas C.

Ind T

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 52 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Eli J. Bowles, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Eli J. Bowles is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Eli J. Bowles is [illegible]

Affiant further states that he has known the said Eli J. Bowles for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having [illegible] blood, and that his complexion, physical appearance, language and manners of the said Eli J. Bowles indicate that the said Eli J. Bowles is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Eli J. Bowles affiant states he has every reason to believe, and does believe that the said Eli J. Bowles is of [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Eli J. Bowles to citizenship in the Cherokee Nation, I. T. and that he is not related by blood or marriage to the said Eli J. Bowles.

Attest: W. H. Thurman

William his X Price
mark

Subscribed and sworn to before me, this 1 day of [illegible] A. D. 189[illegible], and I further certify that I am well acquainted with the said William Price and know h[illegible] to be a person of credibility and of truth and veracity.

Wm. E. Hart [illegible]

My commission expires on the ..... day of 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of [illegible] 1896

[illegible]
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

1.

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

[illegible]

Nation's No.

Application's No.

[illegible]

[illegible] a citizen by blood of the Cherokee Nation, comes now and [illegible] the [illegible] of the Cherokee Nation.

[illegible] the [illegible] of the matter of this controversy, [illegible] the [illegible].

[illegible] to show that the applicant [illegible]

[illegible] answer to said appli-[illegible]

[illegible] right [illegible] Nation, since [illegible] that [illegible] time [illegible] Cherokee Nation, [illegible] any of his ancestors now [illegible] Cherokee Nation [illegible] Territory, [illegible] thereof.

[illegible]

[illegible]

H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

I, the undersigned, EXECUTIVE SECRETARY, Cherokee Nation, having been first duly sworn, states that the matters [illegible] foregoing [illegible] are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] 1896.

NOTARY PUBLIC

POOR ORIGINAL
BEST AVAILABLE COPY

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation, }

I, J. N. BALDWIN, do solemnly swear that on the fourth day September, 1896, I, in person, delivered to W.M. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible] Daniel Lewis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. H. Shelton

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the [illegible] day of September, 1896.

W. H. Dobbins Notary Public

My commission expires March 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon ... Com ... Ind ... Ter ...

Your petitioner, ... earnestly and respectfully represents that he is ... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late ... through ... mother ... who was a ... daughter of ... who was a ... Cherokee by ... mother of ... the son & ... daughter of ... who was a full ... Indian of the full ... blood

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ... age ... years, residence ... in the State of ... postoffice address ... County of ... State of ... occupation that of ...

Attesting witnesses.

... [SEAL.]

... [SEAL.]

Most Respectfully Submitted,

... [SEAL.]

STATE OF ...

County of ...

Personally appeared before me, ... a ... for said county in the State aforesaid ... the petitioner in the above petition for Cherokee Indian Citizenship in the Cherokee Nation, Indian Territory, U. S. A. who after being sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the ... day of ... 189...

Attesting witnesses,

... [SEAL.]

... [SEAL.]

Subscribed and sworn to before me, a ... as aforesaid, on this ... day of ... 1896, and I do certify that I am personally acquainted with ... the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of ... and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county do certify that ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ... 1896.

... Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of Louisa Figures

AFFIDAVIT OF

STATE of North Carolina }
County of Yancey } ss.

On the 4th day of April 1906 personally before me D. C. Rhodes
a Justice of the Peace in and for said County aforesaid, duly authorized to administer
oaths, appeared Louisa Figures aged 70 years a resident of Ashe
County, State of North Carolina, who after
being duly sworn according to law upon her oath deposes and says: She is one eighth Cherokee Blood,
and is a claimant for Cherokee Indian Citizenship. That the said deponent says in truth and in fact that she
was born in Ashe County N.C. and from her earliest
recollection she has lived with and raised
Cherokee Indians and that she is now living in her
settlement of Cherokee Indians.

[illegible] whose name [illegible] above appears
[illegible] that [illegible] of the Cherokee tribe
[illegible] Cherokee [illegible]
Cherokee [illegible] Cherokee [illegible]
[illegible] Cherokee [illegible]
[illegible] Cherokee [illegible]
[

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Reeves and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] **SAMUEL DAVIS.**

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signatures of [illegible] certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances: that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants: that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry, Cranberry, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where [illegible] located after affiant first knew him but finally made his [illegible] county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married [illegible] Blevins and lived in Ashe county, N. C.; that said James and [illegible] Blevins had several sons and daughters from whom have descended [illegible] of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous [illegible] daughters among whom were Catharine who married one [illegible] subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. [illegible] Ned Hash, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
L. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. [illegible] further certify that I am well acquainted with the said William [illegible] and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by [illegible] under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-seven years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Hoods, Notary Public.

My commission expires March 7th 1900.

Affidavit of Witness.

INDIAN TERRITORY
Cherokee Nation } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. [illegible], who after being by me duly sworn states that he is 54 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Whitesport, in said County, and that he is personally acquainted with Louisa Byars, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Louisa Byars is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Burcher

Subscribed and sworn to before me, this 4th day of September, A. D., 1896.

W. H. Roberts, Notary Public.

My Commission Expires, March 7, 1900

#2176

IN THE MATTER OF

[illegible]

[illegible]

No. Campbell N.C.

(Sizemore family)

Field Sept. 8th/ 80 C

A. J. McKennon

Com'r

John Francis

Silas [illegible]

N C

AFFIDAVIT OF WITNESS.

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit; and that the signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1890.

..... Clerk Superior Court.

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of:

Nation's No.

Commission's No.

To the Commissioners to the Five Civilized Nations:

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the [illegible] to the petition herein, and for grounds thereof says:

1st. That this commission is not jurisdictional over the parties or subject matter of this controversy, nor has legal right to entertain, hear and determine the same.

2nd. That petitioner does not state facts sufficient, if true, to show that the applicant is entitled to enrollment.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claims to derive right [illegible] Nation, is not now, and has not been a citizen of the Cherokee Nation, since [illegible] Nation, or since the date of treaty as at present located and defined; that his name [illegible] that neither he nor any of his ancestors now [illegible] Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Nancy Adams for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Myself, Wm Price, Alfred Price, Wm A. Lewis, J. H. Burton and Samuel Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. H. Dobbins Notary Public

My Commission Expires Mar 7th 1901

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP

TO the Dawes Commission

Your petitioner, Nancy Adams, earnestly and respectfully represents that she is one sixth (1/6) Cherokee by blood deriving the same from her Cherokee ancestor through her father John Hash who was a son of Robert & Margaret Hash, the latter whom was a daughter of Ernest Lawhorn, the latter of whom was a daughter of said Red Bird Smith who was a Cherokee Indian of the full blood.

Your petitioner further represents that she is in the above statement of facts as grounds for her application to the Commission of the powers under the Cherokee Nation laws for a full and complete investigation of said claim and of the same to be found and correctly shown in said roll, that she may be entitled to all the rights, privileges and immunities of citizens of said Nation.

Petitioner further states Nancy Adams age sixty five years, resides in Asheville North Carolina has a post office address Asheville N.C. in the County of Buncombe State of North Carolina occupation that of a housewife and that she is the niece of Ernest Lawhorn who was a Cherokee Indian by blood and was a citizen of the Cherokee Nation.

Witnesses:

STATE OF)
) SEAL
)

Nancy X Adams [SEAL]
her mark

STATE OF North Carolina)
) ss.
COUNTY OF Buncombe)

Personally appeared before me, John C. Hash a notary public in and for the County in the State aforesaid, Nancy Adams the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 13th day of July 1896.

Attesting witness:

[SEAL]

Nancy X Adams [SEAL]
her mark

[SEAL]

Subscribed and sworn to before me, a notary public of the State and County aforesaid this 13th day of July 1896 and I do certify that I am personally acquainted with Nancy Adams the affiant above named and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of the claim for Cherokee Indian citizenship of said applicant not related to her by blood or marriage.

John C. Hash
Notary Public

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that John C. Hash Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 22nd day of July, 1896.

Clerk Superior Court.

1

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Nancy Adams ... To Cherokee Indian Citizenship.

AFFIDAVIT OF Farmard

State of North Carolina)
County of Dare ...) ss

On this the 13th day of July A. D., 1906, personally before me, Will H. Clark a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Nancy Adams aged 45 years, a resident of Dare County, State of North Carolina whose postoffice is Manteo, who after being duly sworn according to law, says that she is the next of kin and descendant by blood of Nancy Adams deceased, who was duly enrolled as an Eastern Cherokee Indian by the Commission to the Five Civilized Tribes of Indians, and who was identified as such by said Commission, and who received a patent to land allotted to her as such Eastern Cherokee Indian; that she is the identical person who was so enrolled by said Commission as Nancy Adams, and who received said patent to land

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State-line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Penk for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have descended a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of [illegible] Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY
Cherokee Nation, ss.

On this, the [illegible] day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-five years, whose post office address is Ft. Gibson, Cherokee Nation, I. T., who after being first duly sworn, deposes and says: That he, the said affiant, in 1838 came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1820 in North Carolina, and believes that said Sizemore was enrolled by the Chief and Council at about that date, and again in the Western Cherokee Nation.

Affiant further states that he knew one James Hart, whom he believes [illegible] and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Sizemore had a son by name of [illegible] and also another son by name of George. Affiant further says that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina, and from the best of his information, he believes that said Ned Sizemore afterwards died, lived and died in Asheville, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born in [illegible] and reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn before me this, the 2nd day of Sept., 1896.

R. V. Lincoln Notary Public.

My commission expires May 1, 1900

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BEST AVAILABLE COPY

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baucom, who after being by me duly sworn states that he is 54 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is, Mavensford, in said County, and that he is personally acquainted with Nancy A. Adams, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy A. Adams is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 24 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Baucom

Subscribed and sworn to before me this 7th day of September, A. D., 1896.

W. D. Babbitt, Notary Public.

My Commission expires, March 7 1900

2127

No. ...

IN THE MATTER OF

Nancy Jones

Claim for Bounty Land

Late Private in Capt. Wilkinson's Co. of N.C. Militia

Post Office Thomasboro N.C.

(Seminole family)

Filed Sept 8th 1846

A. Wilkinson

Agent

John Wilkinson

Sons Agent

Thomasville

AFFIDAVIT OF WITNESS.

State of North Carolina,)
County of Ashe) ss.

Before me the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Nancy Adams who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy Adams is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Nancy Adams is a daughter of John Hash who was a son of Margery Hash, who was a daughter of Catharine Hart, who was a daughter of Red Bird who was a Cherokee Indian of full blood, and is the mother of the following named minor children Isaac Adams and Dora A. Adams

Affiant further states that he has known the said Nancy Adams for the past 45 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance language and manners of the said Nancy Adams indicate that the said Nancy Adams is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Nancy Adams affiant states he has every reason to believe, and does believe that the said Nancy Adams is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Nancy Adams to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Nancy Adams

his
Samuel X Davis
mark

Subscribed and sworn to before me this 11 day of Aug. A. D., 1896, and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity

J. P.

My commission expires on the day of , 189 .

STATE OF NORTH CAROLINA,)
ASHE COUNTY.) ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. P. , Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of Aug. 1896.

Clerk Superior Court

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation } ss.

I, J. N. BALDWIN, on solemn oath state that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Lizzie Adams for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Louis K. and Davis, Wm Rice, Lizzie V. Adams, Lucy M. Davis, Ida V. Adams

a synopsis of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in his matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. H. Dobbs Notary Public

My commission expires Nov. 7 1899.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes

Your petitioner, [illegible] Adams, earnestly and respectfully represents that he is [illegible] second Cherokee Indian by blood, deriving the same from his lineal ancestor, the [illegible] through [illegible] Adams who was a resident of [illegible] and who was a daughter of [illegible] and who was a [illegible] daughter of Tatha [illegible] and who was a [illegible] of [illegible]

Your petitioner therefore upon his own information and belief, the above statement of facts as grounds for h[illegible] application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation, and asks for a full and [illegible] investigation of [illegible] and that the same be found true and correct as herein stated, that [illegible] and that [illegible] and admitted to all the privileges and immunities of other citizens of said Nation.

Petitioner [illegible] age [illegible] years, residence [illegible] in the State of [illegible] post office address Sugar Creek, County [illegible] occupation that of a [illegible] and is a married man and is father of the following named minor children Mary Adams, aged 7 years, Rosa Adams, aged five years and Virgie Adams aged 6 months.

Witnesses:

A R Cox [SEAL]

E. Powers [SEAL]

[illegible] [SEAL]

Petitioner.

[illegible] Ada [SEAL]

Personally appeared before me W. R. [illegible] a [illegible] in and for said county in the State aforesaid, [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the [illegible] day of [illegible] 189[illegible]

Witnessed by witnesses:

A R Cox [SEAL]

E. Powers [SEAL]

[illegible] [SEAL]

Subscribed and sworn to before me at [illegible] and [illegible] this [illegible] day of [illegible] 189[illegible] and I do certify that I am personally acquainted with the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship, and am not related to him by blood or marriage.

W. R. [illegible]

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Roberts, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of [illegible] 1896.

[illegible]

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

To Cherokee Indian Citizenship

AFFIDAVIT OF

A. D., 189 , personally before me

Peace in and for the county aforesaid, duly authorized to administer

aged years, a resident of

whose postoffice is who

says that Indian by blood

Indian descent in Affiant further says on oath

family whose name he believes appears

that were enrolled by the United States government, by reason of the Cherokee tribe

says that said to be of Cherokee

were members of tribe of Indians

was reared, taught and has heard from his earliest youth that he is a descendant

from said family and that affiant has been recognized and treated by his neighbors and

as a person of Indian blood and that from his complexion and physical

every reason to believe and does believe that he is of Indian blood

and Cherokee and at least one Indian by blood

says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this day of

A. D. 189 , and I further certify that the foregoing affidavit was read to affiant

in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL -
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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe } ss.

[illegible]

Affiant states these facts from his own personal knowledge and observation. [illegible] in the Cherokee Nation, I. T.

[illegible] August, A. D. 1896.

his
[illegible] WILLIAM [illegible] PRICE
mark.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years whose postoffice address is Crumpler, Ashe county, N. C. and state that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the Full Blood, having come [illegible] to that time from the Cherokee reservation and settled in Ashe county, N. C. that said Ned Sizemore had the appearance of a full blood indian, and was so treated and regarded by his neighbors [illegible] that said Sizemore died in Ashe county, N. C. and left a numerous family of sons and daughters, one son Owen who [illegible] of Judge [illegible] Sizemore who married James Blevins and who [illegible] mother of Isaac, Jas, George, Wells Stevens from whom have [illegible] present claimants; that Catharine was the name of [illegible] of said Ned Sizemore who married one James Hart and who had [illegible] and daughters, one of whom married Robert Hash, George [illegible] the father of Stephen [illegible] and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of [illegible] Hart, Lewis Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wanford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Dibble, Notary Public.

My commission expires, March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared F. M. Barker, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Weaversford, in said County, and that he is personally acquainted with John C. Adams, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John C. Adams is the identical person he represents himself to be in this application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, personal appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

F. M. Barker

Subscribed and sworn to before me, this 5 day of September, A. D., 1896.

W. A. Gibbs, Notary Public.

My Commission expires, March 7, 1900.

#2183

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In

THE MATTER

R. Silas Creek N.C.

(Signature pending)
Filed Sept 29/1896
A.D. McCommon
Clerk

Jas. M. Dickson
Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

State of [illegible]
County of [illegible]

Before me, the undersigned a [illegible] and for the County and State aforesaid, personally appeared [illegible] who after being by me duly sworn states that he is [illegible] years of age, and a citizen of [illegible] County and State of [illegible] and that he is personally acquainted with [illegible] who is an applicant for citizenship in the [illegible] Nation, I. T., and affiant further states that to the best [illegible] is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said [illegible]

Affiant further states that he has known the said [illegible] for the past [illegible] years and knows that he is and has been [illegible] among his neighbors, acquaintances and the public generally, as a person having [illegible] by reputation, dress, appearance, language and manners of the said Nelson Adams [illegible] Nelson Adams is of Indian blood. That from the [illegible] affiant states he has every reason to believe that the said Nelson Adams [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Nelson Adams [illegible] and that he is not related by consanguinity or marriage to the said Nelson Adams

Attest.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] 1896, and I further certify that I am well acquainted with the said [illegible] and know [illegible] to be a person of credibility and of truth and veracity.

My commission expires on the [illegible] day of [illegible] 1896. [illegible] J.P.

I, POINDEXTER [illegible] the Superior Court of said county do certify that [illegible] Esq., whose name is signed to the foregoing certificate was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court

POOR ORIGINAL
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Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now (estate, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me, this the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

[illegible]

[illegible] on the Fourth day September, 1896, I, in person, [illegible] to [illegible] and WM. T. HUTCHINGS, Attorneys for the [illegible] a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

[illegible]

[illegible] the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. F. Baldwin

Subscribed and sworn to before me this [illegible] day of September, 1896.

W. H. Dibbits, Notary Public

My Commission expires [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Dawes Commission.

Your petitioner, James H. Peak, ... earnestly and respectfully represents that he is One Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his mother Margaret Peak, who was a daughter of George ... who was a son of Catherine ... who was a daughter of said Ned Sizemore who was a Cherokee Indian of the Full Blood.

Your petitioner ... submits to your honorable body the above statement of facts as grounds for h... application for ... Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation ... and that the same ... found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name James H. Peak, age Forty-four years, residence Granby Mo. in the State of Virginia, postoffice address Granby, Newton County, State of North Carolina, occupation that of a farmer and I am married man and the father of the following named minor children, Ethel B. Peak aged 10 years, Mary E. Peak aged 8 years, Clarence F. Peak aged 6 years, Myrna Peak aged ... years and Stella Peak aged 1 year.

Attesting Witnesses. Most Respectfully Submitted,

State of ..... [SEAL.]

State of .....

STATE OF North Carolina, County of Buncombe.

Personally appeared before me W. C. Peak, Justice of the Peace in and for said county in the State aforesaid, James H. Peak, the petitioner in the above and foregoing application for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 5th day of August 1901.

Attesting witnesses. [SEAL.]

State of .....

State of .....

Subscribed and sworn to before me a Justice of the Peace as aforesaid, on this 5th day of Aug 1901, and I do certify that I am personally acquainted with James H. Peak the said petitioner and state that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of his application for Cherokee Indian citizenship and am not related to him by blood or marriage.

W. C. Peak

STATE OF NORTH CAROLINA,
Ashe County.

I, POINDEXTER BUTLER, Clerk of the Superior Court of said county, do certify that W. C. Peak whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that the signature thereto is genuine. Witness, my hand and seal of said Court this 7 day of August 1901.

P. Butler
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of James H. Peak To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina }
COUNTY OF Dare } ss.

On this the 5th day of Aug A. D., 1896, personally before me W. C. Hack
a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared James H. Peak aged 58 years, a resident of Guyandotte county, and State of Virginia whose postoffice is Guyandotte W. Va. who after being duly sworn according to law, says that he is one Sixteenth Indian by Blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that he verily believes the Cherokee Indian blood & race has reduced to the said Sixteenth as set out in his Petition and Memorial.

and is a direct lineal descendant of the Ingram family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Ingram family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is the grandson of a Full and Cherokee and at least one Sixteenth Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this 5 day of August A. D. 1896 and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe he is to be a credible person.

J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, ... and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. [illegible], and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, state of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states [redacted] born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but usually made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON. [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his [illegible] neighbors; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who [illegible] Lydia Sizemore who married James Blevines and who [illegible] James, Jr., George, Wells Blevins from whom have [illegible] the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had [illegible] sons and daughters, Margery who married Robert Hash, George [illegible] Nancy who married [illegible] Peak and Cornelie Peak and Grubb [illegible] Ned Sizemore also had other sons and daughters and said Catharine was the mother of Catharine Caldwell who was the mother of [illegible] Caldwell and William D. Baldwin; that said Catharine Hart was the mother of [illegible] Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

[illegible] Descendants of Ned Sizemore to [illegible] Ned Sizemore, I. T.

[illegible]

[illegible] Ned Sizemore.

[illegible] September, A. D., 1896, personally appeared before [illegible] Notary Public, within and for the [illegible] William A. Lewis, aged [illegible] Gibson Cherokee Nation, [illegible] fifty-seven, diseases and says: [illegible] Indian Territory with [illegible] from the east, that he was well [illegible] the members of said tribe who so [illegible] in the east; that he [illegible] Ned Sizemore, in [illegible] Nation, and knows that he was al- [illegible] as a Cherokee Indian, and from the [illegible] Cherokee Nation by blood and of [illegible] Ned Sizemore [illegible] about the year [illegible] Ned Sizemore [illegible]

[illegible] Ned Sizemore [illegible] Ned Sizemore [illegible] Ned Sizemore [

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Easton who after being by me duly sworn states that he is 55 years of age, and a resident of Vance County, and State of North Carolina, whose postoffice address is Kittrell N.C. in said County, and that he is personally acquainted with James H. Peek who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that he said James H. Peek is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Easton

Subscribed and sworn to before me this 9th day of December, A. D., 1899.

J. M. Dobbs Notary Public.

My Commission expires, March 7, 1900.

#2191

No. .....

IN THE MATTER OF

..... ,

Claim to Citizenship of .....

Nation, I. T.

Po Francis Co. N. C.,

(Supreme Court)
Filed Sep 8 1896
A.S. McKinney
Clerk
John Brandon
Texas Co. Okl
N. C.

AFFIDAVIT OF WITNESS.

State of .....

County of .....

Before me, the undersigned, a ..... in and for the County and State ..... personally appeared ..... who after being by me duly sworn states ..... is ..... years of age and a citizen of ..... County, and State of ..... and that ..... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... self to be in ..... application for citizenship in said Nation, and that the said .....

Affiant further states that ..... he has known the said ..... for the past ..... years ..... was that ..... is and has been recognized and treated by ..... neighbors, acquaintances and the public ..... as a person having ..... Indian blood, and that the complexion, physical appearance ..... language and manners of the said ..... indicate that the said ..... That from the above facts and circumstances and from statements made to ..... by the said ..... affiant states ..... he has every reason to believe, and does believe that the said ..... is of ..... Indian blood.

Affiant further states that ..... he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that ..... he is not related by blood or marriage to the said .....

Subscribed and sworn to before me this ..... day of ..... A. D., 189..., and I further certify that I am well acquainted with the said ..... and know ..... to be a person of credibility and of truth and veracity.

.....

My commission expires on the ..... day of ....., 189...

NORTH CAROLINA
ASHE COUNTY,

I, EXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of ....., 1896.

.....
Clerk Superior Court

POOR ORIGINAL
BEST AVAILABLE COPY

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY,)
Cherokee Nation.) ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of J.M. Rogers for self, for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Reese, Wm Reese, Daniel Downs Wm A. Lewis J.H. Hester.

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. ~~That affiant has no interest in this matter.~~

J N Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

W A Bowles Notary Public

My commission expires Mar 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner ... respectfully and respectfully represents that ... maternal ancestor, the ...

... and ... respectfully ... that ... be allowed ...

Petitioner ... Age ... years

residence ... postoffice address ...

... occupation that of ...

Respectfully Submitted,

... (SEAL.)

... the petitioner ... the above ... Secretary, U. S. A., who after ... and ... that ... are true as stated therein ... day of ...

Attesting witnesses.

... (SEAL.)

... day ...

STATE OF NORTH CAROLINA }
ASHE COUNTY. }

I, ..., Clerk of the Superior Court of said county, do certify that ..., ..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Notice of the Peace in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that the signature thereto is genuine. Witness, my hand and seal of said Court, this 14. day of ...

... (SEAL.)
Clerk Superior Court

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
J. [illegible], [illegible] Nation
[illegible] Nation
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal [illegible] Nation, appears and remains the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the matters of controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the applicant [illegible] entitled to citizenship.

Respondent now having fully answered, and [illegible] to said application, says that [illegible]

the right [illegible] right to citizenship in the Cherokee Nation, and has not, and has not [illegible] Nation, since the removal of said Nation, west to the Indian Territory as [illegible] named, that his name does not appear on any roll of the citizens of said Nation [illegible] now reside, or ever have resided within the Cherokee Nation and Indian Territory [illegible].

Having fully answered [illegible]

S. H. MAYES [illegible] Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary Cherokee Nation, being [illegible] sworn, states that the matters contained in the foregoing answer are true, to the best [illegible]

Subscribed and sworn to before me this [illegible] 1896.

NOTARY PUBLIC.

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants: that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Allen Hart; said Ned Sizemore also had other sons and daughters and that Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HUMPA, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine, who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful man.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W A Dobbs, Notary Public.

My commission expires March 7 1900 89

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barter, who after being by me duly sworn states that he is 53 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wagenford, in said County, and that he is personally acquainted with J. M. Balawin, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said J. M. Balawin is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barter

Subscribed and sworn to before me, this 7 day of September, A. D., 1896. W A Dobbs, Notary Public.

My Commission expires, March 7, 1900.

#2175

IN THE MATTER OF

Residence (Post Office)

Name

Po. Swan Creek, N.C.

(Witness's name)

Filed Sept 8th 1866

A.S. McKenney

Com'r

John Bassin

Swan Creek N.C.

AFFIDAVIT OF WITNESS.

North Carolina
Cabarrus County

Before the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared [illegible] who after being by me duly sworn, states that he is 72 years of age and a citizen of [illegible] County, and State of [illegible] that he is personally acquainted with [illegible] who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person mentioned by the said applicant for citizenship in the Cherokee Nation and said [illegible] is the children of [illegible] who was a Cherokee Indian woman by blood and was a member of the Cherokee Tribe of Indians at the time of her death, and that the said [illegible] was a resident of the Cherokee Nation at the time of her death, and that the said [illegible] has never been naturalized as a citizen of the United States, nor of any State or Territory, but is entitled to Cherokee citizenship by blood.

That he has no interest whatever in the prosecution of the said application for citizenship in the Cherokee Nation, I. T., and is not related by blood or marriage to the said [illegible] and therefore is disinterested.

Affiant

Subscribed and sworn to before me this [illegible] day of [illegible] 1896, I being well acquainted with the said [illegible] and know him to be a man of truth and veracity.

My commission expires on the [illegible] day of [illegible] 189[illegible]

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 4th day of [illegible] 1896.

[illegible]
Clerk Superior Court

End

Richard Winifield Adams of lawful age being duly sworn by me according to law upon oath says:

I have submitted certified copies of the application of _____ for Cherokee Citizenship and affidavits in proof of same to the Honorable Chief of the Cherokee Nation and have received a receipt for the same Dated at Tahlequah, Indian Territory August 25th 1896.

Further deponent sayeth not:

_____

Subscribed and sworn to before me this August 27, 1896.

C. Hart.
Notary Public.

MY COMMISSION EXPIRES

United States of America

Indian Territory.

Northern District. SS.

This day personally appeared before me the Undersign Notary Public within and for the District aforesaid duly commissioned and acting at Grove, I. T. Joseph A. Parker to me personally wellI known who being by me duly sworn according to law upon oath deposeth and sayeth.

"I am a Cherokee Indian by Virtue of Cherokee Blood.

I derived my Cherokee Indian Blood from my Father whose name was James Parker. James Parker was a son of OmaBlythe.. OmaBlythe Blythe Married Jonathan Parker a white man. OmaBlythe was the Daughter of Anna Barnes who married Jonathan Blythe.

I herewith submit testimony in proof ofsame.

I herebymake application to the Honorable Commission of the Five Civilized Tribes for enrollment as a Cherokee Indian By Blood

The names of my Family are as follows:

Joseph A. Parker, aged aged 36 years. (My Name.)

Edith Belle Parker aged eight years (My Daughter)

Rush Parker aged 6 years (My Son.)

Further Deponent sayeth not.

Joseph A. Parker

sworn to and subscribed before me this 19th day of August 1896.

Notary Public.

witness to mark

A B Hord

J. T. Hall

David [illegible] Fisher his X mark

State of Missouri
County of McDonald } ss.

Mike Cagnis
affidavit

affidavit

United States of America
Indian Terr.
Muskogee Dist
Personally appeared before me [illegible] the United States Notary Public Mike Bayer who after being duly sworn according to law, deposeth and says I am about (76) years old I was born in the [illegible] of Tenn. near the Ft. Pond [illegible] I now live [illegible] D [illegible] I.T. I am a citizen of the Cherokee Nation and am a full blood Cherokee Indian and have Cherokee blood [illegible] to the Blythes I knew them as far back as I can [illegible] and have when I was a [illegible] all recognized as Cherokees [illegible] back in the State of Tenn. I knew James Blythe well and he known to be a Cherokee [illegible] my people always told me that I was just like James Blythe.

Attest
Patrick Kane
Douglas Kane

his
Mike ~ Bayer
mark

Subscribed and sworn to before me this 19th day of August A. D. 1896.

[illegible]
Notary Public.

United States of America,

Indian Territory.

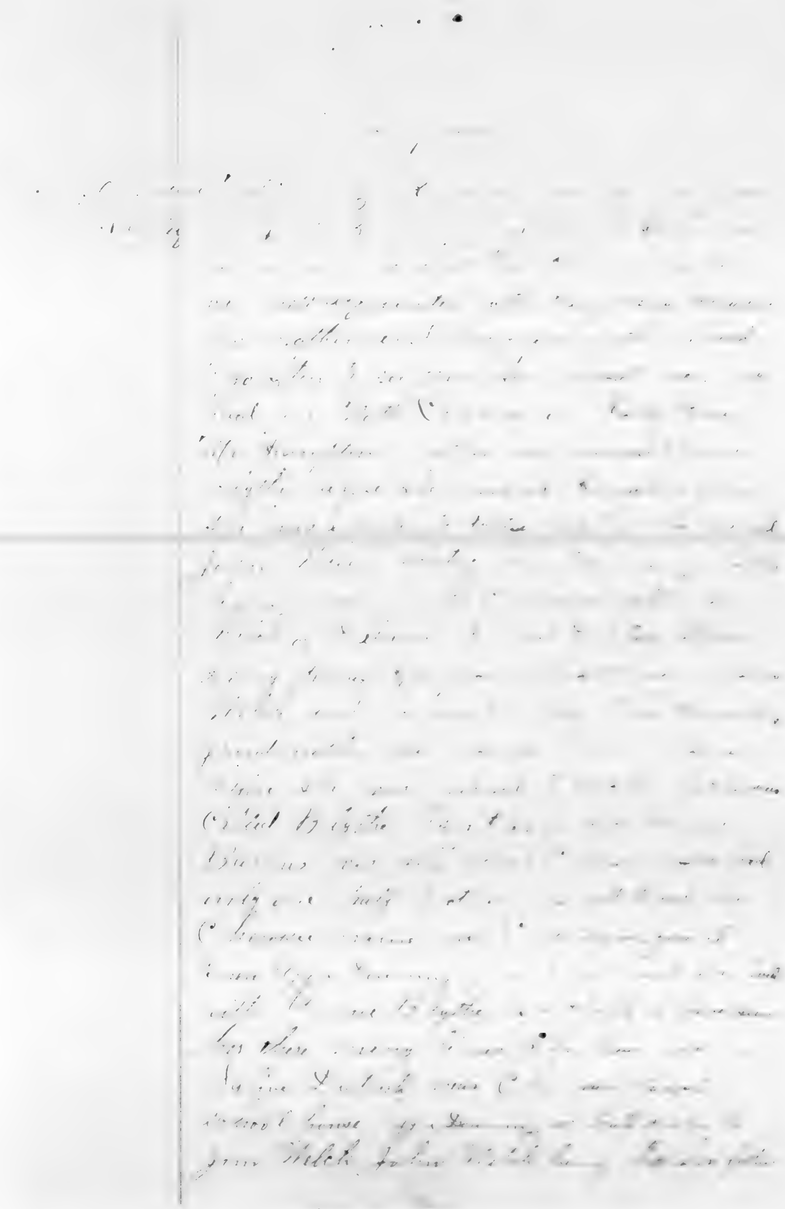
Northern District.

SS.

I hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me and the same was carefully compared with the original. Witnessmy hand and seal this Aug. 5th 1896.

J. C. Starr

Notary Public.



United States of America,

Indian Territory.

Northern District.

SS.

I hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me and the same was carefully compared with the original. Witness my hand and seal this Aug. 5th 1896.

J. C. Starr

Notary Public.

MY COMMISSION EXPIRES
MAY 2nd, 1898.

United States of America
Indian Territory
Northern District
S S I Hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me and the same was carefully compared with the original. Witness my hand and seal. this Aug. 8th 1906.

J. C. Starr
Notary Public.

S

Affi Showing
Relation

[illegible] 20th day of Oct 1902

W. T. Rowland

Executive Secretary

United States of America
Indian Territory
Southern District
S S I Hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me and the same was carefully compared with the original. Witness my hand and seal. This Aug. 8th 1903.

J. C. Starr

Notary Public.

[illegible]

No. 307

Josiah A. Parkin

v.

Cherokee Nation

Filed 7 Sept 1886,
W. M. Jacoway
Clerk

No. 307

Joseph A. Parker

v.

Cherokee Nation

Filed 7 Sept 1886,
W M Freeman
Clerk

United States of America
District of Columbia
To Wit:

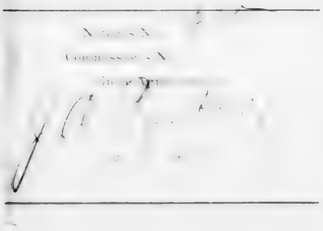
I hereby certify that on this day personally appeared before me a Notary Public in and for the District aforesaid, H. C. Welch who after being duly sworn according to law deposes and says: I am a resident citizen of the United States. I live in Delaware District of Columbia. I know Joseph A. Parker to be a son of James A. Parker and a grandson of Emma Parker, Lena Parker & Mary Parker deceased. My mother was sisters. I myself am first cousin to Joseph A. Parker. My father and my mother being brother and sister.

H. C. Welch

Subscribed and sworn to before me this [illegible] day of [illegible] 1898.

[illegible]
Notary Public, D.C.

MY COMMISSION EXPIRES
MAY 2nd, 1898.



Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same, for answer to said application, says that

throughout them the petitioner has failed to derive any right to citizenship in the Cherokee Nation; is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as hereinafter recited and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation, and [illegible] Territory as hereinafter defined.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

NOTARY PUBLIC

End

3201

Nation's No. 9175

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of) Nation's No. 1805
) Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his demurrer and demurring upon the same for answer to said application, says that through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC

REGISTRY R' EIPT.

Post Office at .....

Registered Letter / Label No. 29 Rec'd Sept 5 1896

of J. H. Parker

Muldrow I. T.

addressed to Hon Sam Mayes Chief of

Tahlequah Ind Ter

..... P. M.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, J. H. Parker, do solemnly swear that on the 5 day of Sept, 1896, I saw a package registered at the postoffice at Muldrow I. T. addressed to Hon Sam Mayes Chief of the Cherokee Nation, Tahlequah I. T. that registry receipt, No 29, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Reuben D. Parker and of the affidavits of Rev Francis Miller Choate John and R. J. Scott in support of same. Ed Ford Wm. Vincent

J. H. Parker

Subscribed and sworn to before me, on this 5th day of Sept 1896.

D. D. Lower J. P.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

To the Honorable Dawes Commission

I have my Claim from the
Cherokee Nation Examined,
And now Enroll father Henry Parker
was a Citizen by Blood Henry
Parker left the Cherokee Nation
in the State of South Carolina
in the year 1828 and settled
on the old Cherokee Reserve in
the county aforesaid in 1835
and was living and occupying
as a citizen my claim
[illegible] the application
[illegible] for the Enrollment
[illegible] to the Dawes Commission
[illegible] speak of my claim
[illegible] my claim I have
[illegible] submit papers &
[illegible] in support
[illegible] of the Claim application
[illegible] and send them to the
[illegible] Commission & respectfully
[illegible] request
[illegible] favorable consideration of the application

[illegible] on the regiment
[illegible]
respectfully Sir
James H Parker

United States of America } ss Southern District of New York }

Personally before me Chas. D. Pendleton Notary Public of the City Name Frederick Ulrich appeared Chas. D. Stair who after being duly sworn according to law deposes & states that the annexed affidavit and a true & correct copy of the original as annexed to be used to be copied

Sworn to & subscribed before me this 2nd day Nov 1893

Chas. D. Pendleton

AFFIDAVIT.

State of Arkansas,
County of Pope, ss.

BE IT REMEMBERED That on this 22nd day of February 1905 personally appeared before me, J. C. McAnulty, who is a reliable and creditable citizen of the county of Pope, State of Arkansas, and after being duly sworn according to law, deposes and says: That he is acquainted with [illegible] Pope County, State of Arkansas, that he has resided [illegible] Parker; that he has post office address Atkins and knows personally and well acquainted with J. H. Parker, who is a son of Frederick Parker, of Pope County, Arkansas and Grand Son of Henry Parker, of South Carolina died on near Cheraw Marion, South Carolina.

Affiant makes this his sworn statement from his own personal knowledge and acquaintance with the family.

(Signed) J. C. McAnulty.

Sworn and subscribed to before me a Notary Public this 22nd Day of February 1905.

Signed) J. D. Cleveland.

Notary Public.

(Impression of Seal here.)

My Commission expires January [illegible] 1909.

State of Arkansas.

County of Pope,

J. C. McOnerly being duly sworn, deposes and says as follows; My name is J. C. McOnerly and am fifty-six years old and have resided in Pope County Arkansas, fifty-two years.

I have known Henry Parker and Rederick Parker his son and J. . Parker son of Rederick Parker, nearly all my life. I remember one time my uncle and I was fishing with Henry Parker when I was about 14 or 15 years old, My uncle named Henry Parker or that he understood, that he was part Indian and he replied that he was a Cherokee. That he was raised and married in the Old Cherokee Nation in South. Carolina and lived there until several Children were born to him, he then moved to the State of Illinois and from there here.

I can remember some time in Parker family, all look to have Indian blood in them, having black hair eyes, and dark skin and Henry Parker was a remarkable [illegible] of Indian ; depending principally on living upon game and fishing.

(Signed) J. C. McOnerly.

Subscribed and sworn to before me this 14th day of Nov. 1902.

(Signed) J. D. Cleveland.

(Seal Here) Notary Public.
My Commission expires July [illegible] 1903.

AFFIDAVIT.

Cherokee Nation,
Indian Territory, SS.

BE IT REMEMBERED THAT on this 20th day of December 1 [illegible] personally appeared before me, Walter Chronicle, who is a reliable and credible citizen of Going Snake District, Cherokee Nation, Indian Territory, and [illegible] to me well known as an honest and law abiding citizen of said District, and who being duly sworn according to law, deposes and says that he was well acquainted with Going Snake District, Cherokee Nation, Indian Territory, [illegible] and has been personally acquainted with [illegible] Parker [illegible] Old Cherokee Nation, State of South Carolina, and that said Hem Parker was a Cherokee Indian by Blood, about 1/ or 1/8 Cherokee blood. Affiant further says that [illegible] Sworn to before me this [illegible] personally known to me to be the identical person who executed the foregoing instrument as a witness to the signature of said Hem Parker deceased for the purpose therein mentioned, and acknowledged to me that he executed the same as his free act and deed.

Sworn to and subscribed before me this [illegible] day of December 1902.

(Signed) Walter Chronicle.
Mark.

(Signed) B. G. Fleming,
Clerk of Going Snake D. C. I. T.

AFFIDAVIT.

C... of ... N... ...,
I... T... ... ...

BE IT REMEMBERED T... ... D... ... ...,
...onall... ...d ... J... R..., ...ndabl... and
...bl... ... Flan... D... ... Cherokee N...on, Indian Ter-
... ...

C[illegible] ok[illegible] N[illegible]on,
[illegible]ma[illegible]ma Dis[illegible]ic[illegible].
P[illegible]rsonall[illegible] ap[illegible]r[illegible]d b[illegible] [illegible]n[illegible] [illegible]nd[illegible] [illegible]d [illegible]ffice
[illegible]n[illegible] [illegible]olly [illegible]n[illegible] [illegible]n[illegible]n[illegible] [illegible]n[illegible] [illegible]ou[illegible]:- J[illegible]s H. Pa[illegible].

M[illegible] [illegible]s J[illegible]s H. Pa[illegible]; I am fo[illegible] - [illegible]co[illegible] [illegible]ars of age; [illegible]m
an applic[illegible] [illegible] c[illegible] [illegible]nship in [illegible] C[illegible]ok[illegible] Na[illegible]on, [illegible]ollowing [illegible]-
s[illegible] [illegible] [illegible] C[illegible] [illegible] B[illegible]d; I [illegible] bo[illegible] and [illegible]s[illegible] [illegible] [illegible] O[illegible]
C[illegible] [illegible] R[illegible]ve, [illegible] Po[illegible] C[illegible] , A[illegible]kansas.

M[illegible] [illegible] [illegible] [

S[illegible] of A[illegible],

Co[illegible] of Pow[illegible]

E. D. Ford, [illegible] deposes and says as follows:

M[illegible] E[illegible]. Fo[illegible] [illegible] [illegible] years old [illegible] [illegible] [illegible] S[illegible] [illegible] [illegible] seven years.

I [illegible] known Hen[illegible] Pi[illegible], and Rode[illegible]ck Pa[illegible] Har[illegible]son and J. W. Pa[illegible], [illegible] Rod[illegible]c Pa[illegible], [illegible] [illegible] Fo[illegible] [illegible] years and [illegible] [illegible] [illegible] P[illegible] [illegible], [illegible] Cherokee Indian and raised and [illegible] on the Old Cherokee Nation in South Carolina.

(Signed) E. D. Ford.

Subscribed and sworn to before me on this 17th day of Nov. 1902.

(Signed) J. D. Cleveland.

Notary Public.

(Impressed [illegible] Seal)

My Commission [illegible] Jan[illegible] [illegible].

[illegible] Arkansas,

Go[illegible] [illegible]lope, SS.

W. H. W[illegible], [illegible] l sworn deposes and s[illegible] as f[illegible]l[illegible]: M[illegible] W. [illegible]. Wilc[illegible], am fif[illegible] years of age, and have [illegible] in Pop[illegible], Ark. [illegible] 1[illegible].

M[illegible] Mc[illegible]' maid[illegible] name was Willie Parke[illegible] daugh[illegible] of Hen[illegible] P[illegible] [illegible] [illegible] c[illegible] from the Old Che[illegible] Nation in [illegible].

I [illegible] [illegible] [illegible] Grant Parker Hen[illegible] Parker, [illegible] was a Cherokee India[illegible] and came from the aforesaid place. I [illegible] [illegible] [illegible] Redrick Parke[illegible], who was m[illegible] Mo[illegible]'s B[illegible]r [illegible] [illegible] Parke[illegible] and I [illegible] know [illegible] Redrick Parke[illegible] [illegible] [illegible] co[illegible] and claiman[illegible] in this case.

(Sig[illegible]d) W. H. W[illegible]. (His Mark)

W[illegible] J. D. Cl[illegible]land.

Subscribed and sworn to before me this [illegible] day of [illegible].

(Sig[illegible]) J. D. Cl[illegible]land,

[illegible] Public.

(Impression of Seal here)

My Commission expires Jan. [illegible] 1[illegible].

No 1370

James H. Parker
vs.
Cherokee Nation

Filed 19 Sept 1896
H.M. Jacoway
Clerk

Rejected

Atkinson
Sec'd Tr

AFFIDAVIT.

BE IT REMEMBERED THAT On this 15th day of February, 1933 personall appeared before me, J. J. Scott, who is a reliable and creditable citizen of the County of Pope, State of Arkansas, and after being duly sworn according to law, deposeth and says: That he is a Resident of the County of Pope, State of Arkansas, That his age is [illegible] years, occupation that of a Farmer, that his Post Office is Russellville, Arkansas, that he personall and well acquainted with J. M. Parker who is a son of Redwick Parker of Arkansas and Grand son of Hon. Parker of South Carolina at or near the old Cherokee Nation South Carolina.

Affiant makes this his sworn statement from his own personal knowledge and acquaintance with the family.

(Signed) J. J. Scott.

Sworn to and subscribed to before me, Notary Public this 15th day of February, 1933.

(Signed) J. C. Tucker

Notary Public.

(Impression of Officers Seal here.)

End

REGISTRY RECEIPT.

Post Office at [illegible], Ind. Ter.

Registered ~~Letter~~ Parcel No. 214 Rec'd Sept. 5 1876

of J. P. Mullen

addressed to Hon. Saml. Mayes
Tahlequah - I. T.

M. A. Potter P. M

UNITED STATES OF AMERICA,
Indian Territory,
CENTERAL District

William Yates being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of Mrs Mary Potter postmaster, at South McAlester Indian Territory, to Samuel Mayes Principal Chief Cherokee Nation a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission to citizenship in the said Cherokee Nation of Petition of Dixie McKinney and her children Malissa and Daisy Gibson for citizenship in the Cherokee Nation by blood and affidavits of Chamey Jenniggs and Fannies Scroggins to support said petition.

I further state that I have no interest in the prosecution of this claim.

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c hereto attached to be used in support of said petitions

Affiant

Subscribed and sworn to before me this 5 day of May 1896

Notary Public.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Mrs Dixie McKinney,and her children

for admission to citizenship in the Cherokee & Chickasaw **Nation.**

State of Texas, }
County of Grayson, } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Chaney Jennings, who, after being by me duly sworn, states That she is 52 years of age, and a resident of the State of Texas and County of Grayson and her post office address is Sherman,Texas, that she is personally acquainted with John Gipson deceased whose surviving wife Dixie McKinney and children are who is an applicant for Citizenship in the Cherokee & Chickasaw Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

that she was well acquainted with John Gipson,in his life time and was acquainted with him from the time I was a child until his death in about 1884 in McLellan County,Texas.I was acquainted with John Gipson's father,from the appearance of the said John Gipson,I would say that he was a part Chickasaw Indian;that he married Dixie Fakers,in Burnett County,Texas,in 1877,that by the said marriage they had two children to-wit Malissie and Dasie Gipson;that the said Children are now living with their mother Dixie McKinney and Abe McKinney,their step father in Sherman,Texas,and are about 14 and 16 years old;I think and belive that the said Dixie McKinney and the said John Gipson,are and were about 1/8 Cherokee and Chickasaw Indian and their said children are about 1/16 Cherokee and Chickasaw Indian;that their physical appearance in every way show that they above named parties are of Indian blood;their hair is long and black;Eyes black;complexion,Cover Indian color and look and show to be part Indian and have always been regarded by all who knew and where acquainted with them to be part Indian.

Affiant further states That she has known the said Dixie McKinney, and her children for the past 33 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee and Chickasaw Indian blood, and that the complexion and physical appearance of the said Dixie McKinney & her children indicate that she is of Cherokee and Chickasaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what she has heard and knows of the family of the said Dixie McKinney & children she believes the said Dixie McKinney and her children are descendent by blood of the Cherokee & Chickasaw Indian tribe, and a lineal descendent of the said Mrs Fannie Scroggins and John Gipson,

Subscribed and Sworn to before me this 5 day of August 1896

Chaney Jennings

Chas Christian
NOTARY PUBLIC.

My Commission expires June 1st 1897.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Dixie McKinney and her Children,

for admission to citizenship in the Cherokee & Chickasaw Nations.

State of Texas.
County of Grayson. } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Mrs Fannie Scroggins who, after being by me duly sworn, states: That she is 57 years of age and a resident of the State of Texas, and County of Grayson. and her post office address is Sherman, Grayson County, Texas, that she is personally acquainted with Dixie McKinney, & Children who is an applicant for Citizenship in the Cherokee & Chickasaw Nations. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That Affiants mother Mrs Mahaley Scaggs, was a Cherokee Indian and borne in either the State of North Carolina or Georgia, in about the year 1816 was 17 years old in 1833, when the stars fell; that her mother was a half blood Cherokee Indian; that this affinat is the daughter of the said Mahaley Scaggs and John Ross, a white man; that affiants mother died at Mayfield, Graves County, Kentucky in about 1861 or 2; that this affiant does not know what became of the said John Ross, but presumes he is dead that this affiant is acquainted with Dixie McKinney, she is the daughter of this affiant and William Bakers; that she was borned in Fannin County Texas, on the 27th, day of May A.D. 1862; that she is 1/4 Cherokee Indian, that she married John Gipson, in about 1878 or 4 in Burnett County, Texas that by the said marriage the said Dixie and John Gipson, had two children, to-wit Malissie and Dasie Gipson, who are now 16 and 14 years old; that the said John Gipson, was a son Samuel Scroggins and Hannah Scroggins, formally Dale, but that the children borned of the marraiage with Scroggins, were called by the name of Gipson, after their white master; that the said John Gipson, was 1/4 ~~Cherokee Indian~~ Chickasaw Indian; that he was recognized and always treated as a Chickasaw Indian and spoke the Chickasaw Indian language and the Indian blood showed very plainly in him, both in his actions and talk and appearance; that the said Malissie and Dasie Gipson, are part Cherokee and Chickasaw Indians and entitled to all of the rights, privilages and immunities of other members of the said Tribes; that the said Malissie and Dasie Gipson, are the daughters of the said Dixie and John Gipson, and the Grandaughters of this affiant and this affiant have known all of the above applicants since they were borned and know each of them to be part Indian blood as above stated in this affidavit.

Affiant further states That she has known the said Dixie McKinney for the past 32 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee & Chickasaw Indian blood, and that the complexion and physical appearance of the said Dixie McKinney and Malissie & Dasie Gipson, indicate that they are of Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what she has heard and knows of the family of the said Mahaley Scaggs, she believes the said Dixie McKinney and Malissie and Dasie Gipson, to be a descendent by blood of the Cherokee & Chickasaw Indian tribe, and a lineal descendent of the said Mahaley Scaggs, who was a Cherokee and John Gipson who as a decendent of the Chickasaw Indians

Mrs Fannie Scroggins

Subscribed and sworn to before me this 25th, day of August, 1896.

C. W. Collins
NOTARY PUBLIC.

My Commission expires June 1 1897. Grayson County Texas

and petitioner respectfully asks the time and place when his application shall be heard and tried, and petitioner will ever pray, etc.

J. R. Mullenaux
Chas. Cruikshank
Attorneys for petitioners.

The aforenamed petitioner Mrs Dixie M. Kinney says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief

Dixie McKinney Petitioner.

Subscribed and sworn to before me, this 20th day of August 1896.

S. Kennis
Notary Public in & for Grayson County, Texas.

No

APPLICATION OF
Dixie McKinney &c. Al.
for
Citizenship
Nation

Enrollment of

Filed on the day of 189

S. P. Medlock
Chas. Cruikshank
Attorney for Petitioner

Sept. 1. Capt. Fayette, Tribe.

CAPITAL PRINT, South McAlester

That the said John Gipson ~~~~ was borned in the County of Sanit Blair State of Missouri,on about the 25th,day of February A.D.1858 and died in Waco,McLellen County,Texas,on about the 27th,day of February A.D.1884 that your petitioner intermarried with Abe McKinney,on the 1st,day of December A.D.1890,in the City of Sherman,Grayson County,Texas,that by said last named marriage their has been no children borned to them.

APPLICATION FOR ENROLLMENT.

Before the United States Commission to the Five Civilized Tribes of Indians:

Mrs Dixie Mc.Kinney Et. Al. PETITIONER,	APPLICATION FOR ADMITTANCE AND ENROLLMENT.
Cherokee & Chickasaw Nation Indian Territory. RESPONDENT	

TO THE ABOVE NAMED HONORABLE COMMISSION

You petitioner Mrs Dixie McKinney, states that She and her two children, hereinafter named

was a Cherokee & Chickasaw Indian by blood, was duly recognized by the proper authorities as such in the places where they have ever lived and enjoyed all the rights, privileges, benefits and immunities of other Cherokee & Chickasaw Indians by blood in the said Chickasaw & Cherokee, Nation or Tribe of Indians, and that the name of the said Mrs Dixie McKinney and her children appears or should appear upon the authenticated rolls of the said Cherokee & Chickasaw Indians for the year 1896

That the petition is a lineal descendant of the said Mrs Fannie " William Bakers to-wit

That her mother is a daughter of Mrs ~~Fannie Baker~~ Lucinda Scaggs, whose maden name was Fannie Scaggs and a daughter of Mrs Mahaley Scaggs and John Ross; that the said John Ross, was white man and that her said Grandmother Mahaley Scaggs, was a half blood Cherokee Indian; that she died in Mayfield, Grave County; State of Kentucky, in about 1861 or 1862; that your petitioners mother Mrs Fannie Scroggins, now lives in Sherman, Grayson County, Texas. that your petitioners father William Bakers, died in Llano County, Texas in about 1883; that your petitioner, is 1/4 Cherokee Indian and that she married John Gipson, in Burnett County, Texas, in the year A.D. 1877; that the said John Gipson, was a fourth blood Chickasaw Indian; was the son of of Samuel Scroggins and Hannah ~~Dale~~, Scroggins, formally Dale; that they Scroggins, went by the name of Gipson, their white master; That petitioner had by her marriage with the said John Gipson two children, herein named

that under the constitution, laws and customs of the said Cherokee & Chicka, Nation or Tribe of Indians, and the laws of the United States and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of the Chicksaw & Cherokee Tribe of Indians in Indian Territory and entitled to all the rights, benefits, fleges and immunities of other Cherokee & Chickasaw Indians by blood.

That there are now living legal descendants of your said petitioner Two persons, as follows, to wit.

Malissie Gipson	a Female	and	16	years of age
Dasie Gipson	a Female	and	14	years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age

Wherefore, the premises considered, your petitioner prays that her name, with those of

her and descendants to wit Malissie Gipson and Dasie Gipson

and Dixie McKinney & her children be enrolled and admitted to all the rights, benefits, privileges and immunities of the Cherokee & Chickasaw Indians and to the Cherokee & Chickasaw Nation or Tribe of Indians in Indian Territory and your petitioners will ever pray.

And in support of said claim petitioners present the affidavits depositions and record evidence namely

Mrs Fannie Scroggins affidavit who resides in Sherman, Grayson County, Texas.

and petitioner respectfully invites the time and place when his application shall be heard and tried, and petitioner will ever pray, etc

J. B. Mullen and
J. Chas. Kerenham
Attorneys for petitioners.

The above named petitioner Malissie T. Kinney says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Dixie McKinney
Petitioner.

Subscribed and sworn to before me this 20th day of August 1896.

E. M. Lewis
Notary Public in & for Grayson County, Texas.

No
APPLICATION OF
Dixie McKinney & children
Enrollment
Filed on the day of 189
Atty's for Petitioner

No 1248
IN THE MATTER OF

Dixie McKinney

Petition and Memorial

FOR

CITIZENSHIP

In the Cherokee Nation, I. T.

Filed Sept 7-1896

A.S. McKennon
Atty

Rejected

So McAlester
DT

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nellie McKinney

Nation's No. [illegible]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same, as against said application, says that Fanny Scaggs

through whom the petitioner claims, never was a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that he has not at any time his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as above described.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Sandlin

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

End

No 2997

Before the Dawes
Commission on
Citizenship in the
Five Tribes,

John Sharp

v

The Cherokee
Nation,

Petition & Proofs.
Filed 8 Sept 1896
T. M. Jamison
Clk

John Watkins
for Petitioner
Ryland

ndian Territory

Northern District.

John B. Burton of l wfull ge being dul sworn doposes
nd says th t on the 5 day of ~~August~~ Sept 1900, I delivered true ~~xxx~~
opy of the attached petition and t stimony tothe Honorable C. H. M
yes, Principal Chief of the Cherokee Nation at the town of
Tahlequah, in said Cherokee Nation.

John B. Burton

Subscribed and sworn to before me this 6 day of ~~August~~ Sept
1900

John Nikanjah
Notary Public

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner John Sharp undersigned, respectfully states that he is a Cherokee by blood, and desires to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives his said Indian blood from John Berry his Grand father who was a Cherokee by blood (All That I Know of My Indian blood is what I have been taught by My Parents and the appearance of the family we are look more as like like Indians I have frequently heard My Grand father Talk about being a Cherokee by blood he was the John Berry clane Spaniard off

Your petitioner further desires to make proof in support of his application for citizenship in the Cherokee Nation, and that his claim may be fully investigated by your Honorable Commission, and that the records of said Cherokee Nation of Indians may be examined touching his right to citizenship in accordance with the [illegible] Act of Congress.

My age is 74 years. My Post Office address is Berryville Ind T

My family consists of the following-named persons: My Wife and children as follows:

Lavina Sharp My Wife	aged	70 years
Matilda A. Sharp No Grass	aged	40 years
Edward P Sharp	aged	35 years
George W Sharp	aged	31 years
John L. Sharp	aged	25 years
	aged	years
	aged	years
	aged	years
	aged	years
	aged	years

WITNESS my signature this 16 day of July 1900.

John Sharp

State of Arkansas
County of Carroll

Personally appeared before me the undersigned authority John Sharp to me known to be the petitioner in the above petition who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has read and heard read the said petition, and that the facts stated therein are true as he verily believes.

John Sharp

Subscribed and sworn to before me at Berryville Arkansas this 16 day of July 1900.

A D Hanchett
County Clerk

E. J. Stark
J. C. Charles

Subscribed and Sworn to
before me this 22nd day of
July 1896 and I certify the same Affidavit
was made personally J. D. Hanchett

County Clerk

State of Arkansas
Benton County }

We L. H. Wilson and S. D. Wilson do solemnly swear that we have known John Sharp for about [illegible] years and that he has always been esteemed to be a full Cherokee Indian and [illegible] to [illegible] like they were but a few years with the general understanding of many of the [illegible] have been reputed to be of Cherokee Indian

L. H. Wilson
S. D. Wilson

Subscribed and sworn to before me this [illegible] day of [illegible] 1896 and I certify that affiants are [illegible] and entitled to be believed

J. D. Sanders
County Clerk

State of Arkansas }
County of Benton } ss. I

[illegible] being Sworn
according to law, says I have
known [illegible] for 15 years
and [illegible] he was part
Cherokee [illegible] and he and
his [illegible] ys Claimed
to be Cherokee - and have
been related in [illegible] Cherokee
Indian Blood
Subscribed [illegible] Sworn to before
me this [illegible]

[illegible]
County Clerk

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[illegible] Nation's No. [illegible]
Commissioner's No. [illegible]
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, [illegible] said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction to hear the parties or subject matter [illegible] and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state [illegible] sufficient, if true, to show that the applicant [illegible] entitled to citizenship.

Respondent not waiving his objections [illegible] resting upon the [illegible] said application, says that [illegible]

[illegible] through whom the petitioner claims [illegible] rights to citizenship in the Cherokee Nation [illegible], and that [illegible] Cherokee Nation, prior to the removal of said Nation, west to the Indian Territory as at present located and [illegible] does not appear on any of the authentic rolls of said Nation, that neither [illegible] ever resided, or ever have resided in the Cherokee Nation and Indian Territory [illegible].

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible]

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, says that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible]

[illegible]
NOTARY PUBLIC.

End

(1)

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Alice Vann for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Dan'l Davis, Lloyd Price, Wm Price, Wm [illegible], [illegible],

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. H. Davis Notary Public

My Commission Expires Mar 7th 1900

Nation's No. 1075.

Commission's No

In re Application of

Al [illegible] Waters, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[redacted] Nation's No. 775.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application [illegible] insufficient, in fact, to show that the applicant is entitled to citizenship.

Respondent not waiving its demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the treaty of [illegible] with the Indian Territory as at present located and defined; that his name [illegible] appeared upon any of the enumerated rolls of said Nation; that neither he nor any of his ancestors now living [illegible] in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To . . . . .

Your pet'r . . . . . earnestly and respectfully represents that . he is . . . . .

Cherokee Indian by blood, deriving the same from h . . lineal ancestor, the late . . . . .

through . . . . .

. . . . . .

. . . . . .

.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C., that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C., that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lydilla who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hartz, that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hall and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the house of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Post for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared [illegible] aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at [illegible] Jerrys Creek, in Ashe county, N. C., that said [illegible] the home of the Cherokee tribe in Western N. C. [illegible] years prior to the time affiant first knew; that he [illegible] said tribe was located after affiant first knew [illegible] Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, one son Owen Sizemore, a son and Catharine Sizemore a daughter [illegible] all, knew; that said Owen Sizemore had a daughter [illegible] one James Blevins, and lived in Ashe county, N. C. [illegible] Lydia Blevins had several sons and daughters from whom [illegible] a number of the present claimants; that said Catharine Sizemore a daughter of said Ned Sizemore married one James Hart, and [illegible] sons and daughters among whom was Catharine who married [illegible] Baldwin and subsequently married one [illegible] and [illegible] ried Robert Hash, and settled in Grayson Co., Va., near the Va. and [illegible] State line, Ned Hart, who settled in Ashe county, N. C., from whom [illegible] descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian, that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof, that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed]
J. H. BARTON. his
WILLIAM x PEACE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wolf'rd enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the laughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Gibbs Notary Public.

My commission expires Mar 7 1900

No. 2242

IN THE MATTER OF

[redacted]

relative to Citizenship in [redacted]

Nation, I. T.

Po Trinity NC

(Virginia Family)

Filed Sept 7, 1844

A S McKinnon

Comm

John Breedin

Scioto [illegible]

NC

AFFIDAVIT OF WITNESS.

STATE OF NORTH CAROLINA, }
YORK COUNTY. } ss.

I, POINDEXTER BEEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ..... 1896.

..... Clerk Superior Court

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AFFIDAVIT OF WITNESS.

STATE OF [illegible] }
[illegible] } ss.

Before me the undersigned, a [illegible] in and for the County and State said, personally appeared [illegible] who after being by me duly sworn states he is [illegible] years of age and a citizen of [illegible] County, and State of [illegible] and that he is personally acquainted with [illegible] who is an applicant for citizenship the [illegible] Nation, I. T., and affiant further states that the said [illegible] the identical person she represents herself to be in her application for citizenship in said Nation, and that the said [illegible] is [illegible]

[illegible]

Affiant further states that he has known the said [illegible] for the past [illegible] years [illegible] that the said has been recognized, and treated by her acquaintances, acquaintances and the public generally as a person belonging to the [illegible] blood, and that her personal appearance [illegible] and habits of life said [illegible] that [illegible] Affiant [illegible] Dawes Commission [illegible] and those who have the [illegible] Indian blood.

Said further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the [illegible] Nation, I. T., and that he is not related by blood or marriage to the said [illegible]

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] A. D. 1896, and I further certify that I am well acquainted with the said [illegible] and know [illegible] to be a person of truth and veracity.

[illegible]

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court.

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Lindsey M. Bruner for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wendel, Samuel Davis, Wm Price Alfred Bruce, Wm A. Lewis, J. N. Baldwin Jesse Bruner

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J N Baldwin

Subscribed and sworn to before me this the 17th day of September, 1896.

W. H. Dibrell Notary Public

My Commission Expires

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

[illegible] Ashe Co

To the Honorable, the Senate and House of Representatives

[illegible] Eulena M. Blevins, ... earnestly and respectfully represents that She is one [illegible] Cherokee Indian by blood, deriving the same from her lineal ancestor, the late [illegible] through her Mother Cynthia Blevins who was a Daughter of Ed Blevins who was Son of James Blevins who was a Daughter of Susan Ingram who was a Son of [illegible] who was a full [illegible] Indian

Your petitioner therefore, submits to your Honorable body the above statement of facts as grounds for h[illegible] Certificate of Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete [illegible] rights and if the same is found to be valid and correct as herein stated, that She be allowed [illegible] privileges and immunities of other citizens of said Nation.

Dated this [illegible] day of [illegible] 1896.

[illegible] Blevins age ..... years, [illegible] in the State of [illegible] postoffice address ..... [illegible] county of [illegible] State of N. C. occupation that of a [illegible] married and have one child [illegible] Ashe Co.

Attesting witnesses.

Most Respectfully Submitted,

[illegible] [SEAL.]

[illegible] [SEAL.]

[illegible] Eulena M. Blevins [SEAL.]

[illegible] Subscribed and sworn to before me, [illegible] 18[illegible] [illegible] Thipp [illegible] Justice of the Peace [illegible] the petitioner in the above [illegible] for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being [illegible] sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 17 day of Aug 189[illegible]

Attesting witnesses.

[illegible] Eulena M. Blevins [SEAL.]

SEAL.

SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 17 day [illegible] Aug 1896, and I do certify that I am personally acquainted with Eulena M. Blevins the said petitioner, and know that She is a credible person and entitled to full faith and credit before any [illegible] the Courts [illegible] State of [illegible] and that I have no interest directly or indirectly in [illegible] prosecution of [illegible] said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. E. Thipp J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] J. E. Thipp, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August, 1896

[illegible]

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

... To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

... A. D., 189.., personally before me J. E. Phipps ...

... a Justice of the Peace in and for the county aforesaid, duly authorized to administer ...

... years, a resident of ... whose postoffice is ... who ...

... Indian by blood ... Affiant further says on oath ... the ... concealed ... a full blood ...

... descendant of the ... family, whose name ... believes appear ... that were taken by the United States government ... Dawes, of the Cherokee tribe ... further says that ... to be of Cherokee ... tribe of Indians.

... has been raised and has heard from ... earliest youth that ... is a descendant ... Indian ancestry, that ... has been recognized and treated by ... neighbors as ... and that ... complexion and physical ... believe that ... is ... Indian blood ... and Cherokee and at least one ... Indian by blood.

Affiant further says the above statements are true to the best of ... knowledge and belief.

... Claimant

Subscribed and sworn to before me, this ... day of ...

A. D. 189.., and I further certify that the foregoing affidavit was read to affiant ... my presence. That said affiant is ... personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

J. E. Phipps, J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th. 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this dav and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genninness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east: that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. H. Dobbs, Notary Public.

My commission expires March 7th, 1898

Affidavit of Witness.

[illegible] Notary Public in and for the Northern District of the Indian [illegible] J. M. Baldwin, who after being by me duly [illegible] states that he is 36 years of age and a resident of Ashe County, [illegible] State of North Carolina, whose postoffice address is Ford, in said [illegible] that he is personally acquainted with Cordelia Blevins, who is an [illegible] on the census roll of the Cherokee Nation, I. T., and affiant further states that the said Cordelia Blevins is the identical person he represents herself to be [illegible] citizenship in said Nation, and that he has known the said applicant [illegible] 15 years and knows that she is and has been recognized and treated by [illegible] acquaintances and the public generally, as a person having Cherokee blood; [illegible] complexion, physical appearance, language and manners of the said applicant in- [illegible] Cherokee blood. That from above facts and circumstances and from [illegible] made to him by the said applicant affiant states he has every reason to believe [illegible] that the said applicant is of Cherokee Indian blood.

J. M. Baldwin

[illegible] to before me this 3 day of September, A. D., 1896.

M. A. Tibbals, Notary Public.

[illegible] March 7, 1900

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe }

Before me, the undersigned, a [illegible] Justice of the Peace in and for the County and State aforesaid, personally appeared [illegible] who after being by me duly sworn states that he is [illegible] years of age, and a citizen of Ashe County, [illegible] State of NC and that he is personally acquainted with Butler Lee Blevins who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Butler Lee Blevins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Butler Lee Blevins is a Daughter of Lydia Blevins who was a Daughter of [illegible] Blevins who was a Daughter of Lydia Blevins who was a Daughter of Lydia Blevins who was a Daughter of [illegible] Blevins who was a Daughter of [illegible] Lyncomb who was a full blood Cherokee Indian.

Affiant further states that he has always known said Butler Lee Blevins for the past [illegible] years and knows that she has been recognized as a member of the Cherokee Tribe of Indians by her associates and the public generally, is a citizen by blood of the Cherokee Nation, physical appearance, and from the statements of the said Butler Lee Blevins and her parents and relatives, and from the records and papers in the case, which were exhibited to this affiant, he believes that the said Butler Lee Blevins is entitled by blood to all the rights and privileges of a citizen of the Cherokee Nation, I. T., and that she is not married.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Butler Lee Blevins for citizenship in the Cherokee Nation, I. T., and that he is not related to the said Butler Lee Blevins by blood or marriage in any degree whatever.

Affiant.

Attest:

[illegible]

My commission expires on the [illegible] day of [illegible] 1896

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896

[illegible]
Clerk Superior Court

Nation's No. 3049.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
[illegible], [illegible]. Nation's No. 1049.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy, and no legal right, or power to hear and determine the same.

2nd. The [illegible] application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name has not appeared on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now [illegible] resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

End

Nation's No. 1042.

Commission's No

In re Application of

Demurrer and Answer.

25

Before The Honorables Henry L. Dawes Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of the application of [illegible]

Nation's No. [illegible].

Commission's No.

[illegible]

[illegible] Principal Chief of the Cherokee Nation, comes now and demurs the [illegible] says:

[illegible] lack of jurisdiction of the Commission over the parties or subject matter of this controversy, [illegible] to determine the same.

[illegible] statutes sufficient, if true, to show that the applicant [illegible] entitled [illegible]

Respondent [illegible] his aforesaid demurrer, but insisting upon the same for answer to said appli[illegible]

[illegible] through whom the petitioner [illegible] claim to derive [illegible] right [illegible] Nation [illegible] not now, and has not been a citizen of the Cherokee Nation, since [illegible] the Indian Territory as at present located and defined; that his name [illegible] said Nation, that neither he nor any of his ancestors now [illegible] Nation and Indian Territory, as citizens thereof.

[illegible] respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John [illegible] Secretary Cherokee Nation, having been first duly sworn, states that the [illegible] foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, [illegible], on the fourth day September, 1896, I, in person, [illegible] BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, [illegible] a certificate which contained a true copy of the application of Wm H. Ferris for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the [illegible] Emmett, Alfred Price, Wm Price, Frank Lowe [illegible] Lowe, J. H. Baldwin

[illegible] with the Honorable DAWES COMMISSION, at [illegible] in this matter.

[illegible] day of September, 1896.

[illegible] Notary Public

My Commission [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Cherokee Court

Your petitioner W. H. Blevins at this present time earnestly and respectfully represents that ~~he is~~ ~~believes that he is an~~ entitled to Cherokee Indian by blood, tracing the same from his lineal ancestor, the late Ned Sigmon through Peter Sweetsong Blevins who was a son of Sophia Blevins who was daughter of Seven Sigmon - who was a son of Ned Sigmon a full blood Cherokee Indian

Your petioner therefore submits herewith the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found true and correct as herein stated, that he be allowed all the rights, privileges and immunities of citizenship in said Nation.

Petitioner's full name W. Harm Duncan Blevins age ... years; residence Washington ... postoffice address ...; County of Ashe State of N. C. occupation that of Farmer

I am a married man and have children to wit Mary E. age 23 years Lucy C. age 21 Harold Ambrose Age 19 John H. Sophia Rebecca Age 15 Ora E. Age 11 Robert Age 9 Nancy E. Age

Attesting witnesses,

Most Respectfully Submitted,

W. H. Blevins [SEAL]

[SEAL]

[SEAL]

STATE OF North Carolina

COUNTY OF Ashe

Personally appeared before me a Justice of the Peace in and for said County in the State aforesaid the petitioner in the above petition for Cherokee Indian Citizenship and Indian Inspector U. S. A. who after being duly sworn according to law states that the facts set forth and recited in the above petition are true as stated therein, this the 7 day of Aug 1896.

Attesting witnesses, [SEAL]

SEAL.

SEAL.

Sworn to and subscribed before me a Justice of the Peace as aforesaid, on this 7 day of Aug 1896 and I do certify that I am personally acquainted with W. H. Blevins the said petitioner and know that he is a credible person and that ... is entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of the said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said County, do certify that ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of ... 1896.

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of W. H. Bloomer ... To Choctaw Freedmen Commission.

AFFIDAVIT OF W. Bloomer

STATE OF North Carolina }
COUNTY OF Cooke } ss

On this, the 7 day of May A. D. 1896 personally before me Elias Hart a Justice of the Peace in and for the county aforesaid, duly qualified to administer oaths, appeared W. H. Bloomer aged 62 years, a resident of Washington county, and State of Virginia who being by me first duly sworn and according to law, says that he is 62 years of age and a citizen by blood and a claimant for freedmen Choctaw Indian rights; that he was born in the State of Virginia and is a full blood Choctaw Indian

a direct lineal descendant of the Pigeons — whose name appears on the census Roll, that were taken by the United States Commissioners appointed to enroll the Choctaw Indians in Mississippi. Affiant further says that he belongs to the Pigeons family of the Choctaw Indians and were members of the Choctaw Nation

Affiant further says he has been acquainted with said Choctaw Indians for a period of 62 years and is well acquainted with the habits and customs of the Choctaw Indians generally as a people, and that he has lived with and among said people for a long time. He has every reason to believe and does believe that the Choctaw Indian blood in him is an admixture of White and Choctaw and at least one-fourth Choctaw Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

W. H. Bloomer

Subscribed and sworn to before me this 7 day of May A. D. 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known to be the person who has been satisfactorily identified before me and I verily believe he is the person.

Elias Hart J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned, a notice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace [illegible] county of Ashe, in the State aforesaid, personal y appeared, W. [illegible] Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or [illegible], some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew [illegible] that said Sizemore came in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from which are descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his WILLIAM x PRICE. mark.
J. H. BARTON.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is ~~Crumpler, Ashe county, N. C., and~~ states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have come a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George [illegible] who was the father of Margery Peak and Cornelie Peak and Grubb Hash; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the application of the descendants of Ned Sizemore to [illegible] Cherokee Nation, I. T.

NOAH [illegible]
Cherokee Nation.

On this the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged [illegible] years, whose post office address is Ft. Gibson, Cherokee Nation, I. T., who being first duly sworn, deposes and says: That he is [illegible] that he first came to the Indian Territory with the [illegible] emigration from the east, that he was well acquainted, with the ancestors of the members of said tribe who so emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, and Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the circumstances of said Sizemore and his acquaintance with him, affiant believes him to have been a Cherokee Indian by blood and of [illegible] that he knew said Sizemore from about the year 18[illegible] to [illegible] that the [illegible] said Sizemore was enrolled [illegible] that fact, and again in [illegible] Nation.

Affiant further says that he became acquainted with Lavina Hart, whom he believes to be [illegible] daughter of said Ned Sizemore, the daughter of said Ned Sizemore [illegible] to affiant by the name of [illegible] and [illegible] known to affiant as the mother of [illegible] by name of [illegible] Nation, and [illegible] Sizemore's husband. [illegible] Territory, and [illegible] Nation, and [illegible] believes that said Ned Sizemore [illegible] lived and died in Ashe County, North Carolina.

Affiant further says that [illegible] his own personal knowledge. Affiant states that he was born and originally settled a near neighbor to the [illegible] family, and was familiar with them, in school and as playmates and associates.

Affiant further says that the foregoing statements are true to the best of his knowledge and belief.

Wm. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

[illegible] Notary Public.

My commission [illegible]

Affidavit of Witness.

INDIAN TERRITORY
Cherokee Nation

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared W. H. Gibbons who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose post office address is Jefferson, N.C. in said County, and that he is personally acquainted with D. H. Gibbons who is an applicant for citizenship in the Cherokee Nation, I. T. and affiant further states that the said D. H. Gibbons is the identical person he represents himself to be in h 36 application for citizenship, & that affiant has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by h 29 neighbors, acquaintances and the public generally, as a person having Cherokee blood, and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from which facts and circumstances and from statements made to him by the said applicant & which affiant has every reason to believe and does believe that the said applicant is a Cherokee by blood.

W. H. Gibbons

Subscribed and sworn to before me this 7th day of September, A. D., 1896.

W. H. Gibbons
Notary Public.

My Commission expires March 7, 1900.

State of N.C. Deposition of Witness
Ashe County Before W H Blevins J.P.
In and for the County and
State aforsaid

Personally appeard Elisha Blevins who
Makes affidavit and who States on Oath that
he is 74 years of age and a Citizen of Ashe
County N.C. That he is personally acquainted
with W H Blevins who is an applicant for
Citizenship in the Cherokee Nation I.T. And
that he knows from his own personal knowing
that he is the identical person he represents
himself to be that the Said William H Blevins
is a Son of Armstrong Blevins who was a
Son of James and Lydia Blevins whose maiden
Name was Lydia Sizemore a daughter of Ned
Sizemore a Son of Ned Sizemore a whole
blood Cherokee Indian Affiant further states
on Oath that he has known the Said W H
Blevins for the last forty eight years that
during that time he was intimately acquainted
with Armstrong Blevins his father and knows
that they were known recognized and treated
as of Cherokee Indian blood by his neighbors and
the public generally that the Said Ned
Sizemore emigrated from the Cherokee Nation
and Settled in Ashe County N.C. That the
Complexion, Physical appearance Language
and manners of the Said W H Blevins indicate
that he is of Cherokee Indian blood and that
he is So known recognized and treated by

his neighbors and the public generally and from these facts and circumstances and from statements made by the said Wm H Blevins and his ancestors affiant has every reason to believe and doth verily believe from his own personal knowledge and information derived from the Sd Wm H Blevins that he is of Cherokee Indian Blood, affiant further States on oth that he has no interest direct or indirectly in the prosecution of the claim of the said W H Blevins to Citizenship in the Cherokee nation &c and is not related either by blood or marriage to the Sd W H Blevins and he derived his Indian blood from Ned Sylemore a whole blood Cherokee Indian, and said W H Blevins is of Indian and white blood.

his
Elisha ~~Mc~~ Blevins
mark

Sworn and Subscribed to before me this 25th day of Oct 1888 and I further Certify that I am well acquainted with said Elisha Blevins and know him to be a person of Credability and of Truth and Veracity and that I am interested in the prosecution of the claim of the said

W H Blevins
Justice of the Peace

STATE OF NORTH CAROLINA,
ASHE COUNTY, } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of [illegible] 1896

[illegible]
Clerk Superior Court.

Ot Cherokee
Clements 3207
to Cherokee Indian
Citizenship

No Stones, Va

(Surveyor [illegible])

Filed Sept 7-1894
28 McKinnon
Dec

Rejected

John Bradburn
Silas Creek
NC

End

Nation's No.

Commission's No.

In re Application of

f

Demurrer and Answer.

FILED

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC

No. 2222

IN THE MATTER OF

Claim to Citizenship in

Nation, I. T.

Po. Presumption Ap.

(Spring Term)

Filed Sept 7- 1896

A Smith Comm

John Duncan

Atoka Nation

AFFIDAVIT OF WITNESS.

STATE OF ..... }
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... and for the County and State aforesaid, personally appeared William Pace who being by me first duly sworn, on oath says that he is 86 years of age, and a citizen of ..... County and State of ..... and that he is personally acquainted with ..... and has been for ..... years last past; that he resides in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... herself to be in ..... application for ..... and that the said ..... is .....

Affiant further states that he has known the said ..... that he knows that he is and has been recognized as ..... by ..... and that ..... a person having ..... and that the ..... and manners of the said ..... That from the above facts and circumstances and ..... affiant states he has ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution ..... to citizenship in the ..... by blood or marriage to the said .....

Witness: J. H. Barter

his
William X Pace
mark

Subscribed and sworn to before me, this 11 day ..... A. D. 1896, and I am well acquainted with the said William Pace and believe him to be ..... worthy and of truth and veracity

In C Mash
J P

My commission expires on the ..... day of .....

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this 19 day of August A. D. 1896.

..... Clerk Superior Court

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the [illegible] day of [illegible] I delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. LITTLE [illegible] Cherokee Nation, at Tahlequah, I. T., a package which contained a [illegible] of the names of

James A Harris

[illegible]

and of the affidavits of Arnold, Sarah Lewis, Willard Price, Wm Price, [illegible] Lewis [illegible]

[illegible]

to support the same, the originals of which are now [illegible] at Vinita, and that [illegible] has not altered in any manner.

J. N. Baldwin

Subscribed and sworn to before me this [illegible]

W. A. Dibble Notary Public

My Commission expires [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO [illegible]

Your petitioner, [illegible], [illegible] correctly and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his [illegible] lineal ancestor, the late [illegible], through [illegible].

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is [illegible], age [illegible] years; residence [illegible] in the State of [illegible], postoffice address [illegible], County of [illegible], State of [illegible], occupation [illegible].

Attesting witnesses, [illegible]

Most Respectfully Submitted,

[illegible] [SEAL]

[illegible] [SEAL]

STATE OF [illegible]
COUNTY OF [illegible] } ss.

Personally appeared before me, a [illegible] and for said county in the State aforesaid, [illegible] the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition are true as stated therein.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

Attesting witnesses,

[illegible] [SEAL]

[illegible] [SEAL]

Subscribed and sworn to before me, a [illegible] as aforesaid on this [illegible] day of [illegible] 1896, and I do certify that I am personally acquainted with [illegible] the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of [illegible] and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court



GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of ..... To Cherokee Indian Citizenship.

AFFIDAVIT OF .....

STATE OF .....
COUNTY OF ..... } ss.

On this, the 17 day of ....., A. D., 1896, personally before me L. Hurley
..... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ..... aged ..... years, a resident of ..... county, and State of ....., whose postoffice is ....., who after being duly sworn according to law, says that he is ..... Indian by ..... and a claimant for ..... Indian citizenship. Affiant further says on oath .....

.....

.....

.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

FOR ORIGINAL -
BEST AVAILABLE COPY

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe.) ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen A. he was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom the present claimants, that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart; wife of the father of Margaret Peak and Cornelia Peak and Cynthia Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Moses Hart and others.

Affiant states these facts from his own personal knowledge and observation. Witness his hand this the 19th, day of Aug. 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HENRY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice examined by Clerk of court and seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and believes that said Sizemore was enrolled upon the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, upon emigration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. R. H. Dobbs, Notary Public.

My commission expires March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barker, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wiseysboro in said County, and that he is personally acquainted with James Sheets, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said James Sheets is the identical person he represents himself to be in h[is] application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by h[is] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barker

Subscribed and sworn to before me, this 2nd day of September, A. D., 1896. R. H. Dobbs, Notary Public.

My Commission expires, March 7, 1900

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of:

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. A. Dobbs Notary Public

My Commission [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner ... Cherokee ... the ...

Your petitioner, therefore, submits herewith ... investigation of ... and ... are the rights, privileges and ...

Petitioner's name ... County ... State ...

Witnessing witnesses:

SEAL

SEAL

Most Respectfully Submitted,

SEAL

... the State ...

... this the ... day of ... 189

Attesting witnesses.

SEAL

SEAL

... 189 ... I certify that I am personally ... the said ... and ... before any of ... the Cherokee ... and ... I have no interest directly or indirectly in the ... the Cherokee ... and ... by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BEVINS, Clerk of the Superior Court of said County, do certify that ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ... 1896.

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

[illegible] To Cherokee Indian Citizenship.

AFFIDAVIT OF [illegible]

STATE OF [illegible])
) ss.
COUNTY OF [illegible])

On this, the [illegible] day of [illegible], A. D. 189[illegible], personally before me [illegible]

[illegible], a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared [illegible] aged [illegible] years, a resident of [illegible] county, and State of [illegible] whose postoffice is [illegible] who after being duly sworn according to law, says that he is [illegible] Indian by [illegible] a claimant for [illegible] Indian citizenship. Affiant further says on oath

[illegible]

and is a direct lineal descendant of the [illegible] family, whose name he believes appears upon the census rolls, that were taken by the United States government, as blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said [illegible] County, State of Cherokee Indian blood and were members of the [illegible] tribe of Indians.

Affiant further says he has been taught and has learned from his [illegible] youth that he is descended [illegible] Indian family and that he has been recognized and treated by his [illegible] the public generally as a person of [illegible] Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of [illegible] Indian blood and is an admixture of [illegible] and Cherokee and at least one [illegible] Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me, this [illegible] day of [illegible] A. D. 189[illegible] and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe he is to be a credible person.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son (was Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N

POOR ORIGINAL -
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Heath, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. Mann, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

[illegible] Alfred Price, [illegible] Crumpler, Ashe county, N. C. who [illegible] eastern states [illegible] N. C. and that some SIXTY or SEVENTY years ago he well knew one Ned Sizemore who was a full blood [illegible] that time of the waters of Crumpler come from [illegible] several [illegible] has [illegible] Ashe county, N. C. and

Affiant states these facts from his own personal knowledge and observation and has [illegible] in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

[illegible] August, A. D. 1896.

his
WILLIAM × PRICE
mark.

[illegible] day of August, A. D. [illegible] with the said William [illegible] identity.

[illegible]
M. C. HAGAR, J. P.

[illegible] Hon. Dawes Commission [illegible] Cherokee Nation, I. T.

[illegible] by [illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C, that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintance; that said Sizemore died in Ashe county, N. C, and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Nash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Nancy Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. H. Dibble Notary Public

My commission expires March 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. R. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bird, in said County, and that he is personally acquainted with Crumbo Douglas Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Douglas Blevins is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. R. Baldwin

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

W. H. Dobbs
Notary Public.

My Commission expires, March 7, 1900

No. 2242

IN THE MATTER OF

Claim to Citizenship

Nation

Vs Sioux Tribe

(Original Papers)

Filed Sept 7-1842

U.S. Dist. Court

John Chamberlain

Silas Crow

Keg[illegible] Wed

AFFIDAVIT OF WITNESS.

STATE OF ..... }
COUNTY OF ..... }

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that he is 84 years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ....., who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said .....

Affiant further states that he has known the said ..... for the past ..... and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having ..... blood, and that the complexion, physical appearance, age and manners of the said ..... indicate that the said ..... has Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is related by blood or marriage to the said .....

Affiant. ..... William [illegible]

Subscribed and sworn to before me, this ..... day of ..... A. D. 1896, and I further certify that I am well acquainted with the said ..... and know him to be a person of credibility and of truth and veracity.

..... J. P.

My commission expires on the ..... day of 189

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ....., 1896.

.....
Clerk Superior Court

End

Nation's No. 10[illegible].

Commission's No.

In re Application of

[illegible]

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. 1686.

Commission's No.

for recognition in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the... application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, ... hereby right, therefore, to hear and determine the same.

2nd. That the ... application does not state facts sufficient, ... true, to show that the applicant... are entitled to ... ship.

Respondent not ... ing his aforesaid demurrer, but insisting upon the same for answer to said application, says that ...

through whom the petitioner ... claim to derive their right to ... ship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now ... reside ... in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By ... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the ... day of ... 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, to solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of John W. Dennis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of James Dennis, William Price, Alfred Price, William A. Dennis, Lewis Wesley

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 7th day of September, 1896.

P. M. Dibbells Notary Public

My Commission [illegible]

Petition and Remonstrance
for Cherokee Indian citizen-
ship

A.

ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of 1886

..... Clerk Superior Court.

POOR ORIGINAL
BEST AVAILABLE COPY

a.

ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn. That all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this ... day of 1896

Clerk Superior Court

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] [redacted]

(The foregoing is a copy of an affidavit filed with the Hon. [redacted] Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 80 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C..and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe.

On the 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart, said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother among [illegible] Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this 19th day of August, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] [illegible]

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

[illegible] Application for the Recognition of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation, } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged [illegible] years, whose post-office address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1832, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watts'el enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen, and [illegible] another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Shoults, Notary Public.

My commission expires March 1 1900, 189

POOR ORIGINAL
BEST AVAILABLE COPY

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. Lucius Hornet, who after being by me duly sworn states that he is 44 years of age, and a resident of Rowan County, and State of North Carolina, whose postoffice address is Mocksville, in said County, and that he is personally acquainted with John A. Bloods, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John A. Bloods is the identical person he represents himself to be in h is application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. G. Lucius Hornet

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.

W. H. Dobbs, Notary Public.

My Commission expires, March 7, 1900

No 2200 fs

John D. Thomas
Chimneyville
Te [illegible]
Po [illegible] Co.

(Injunction pending)

Filed Sept 7-1876
A S McKinney
Clerk

per [illegible]
Lias Clerk

35

No. 1200 - 10

Letter McBlair
Chimneys
To Washington
Pt Pelican Cove La.

(Signature Torn)
Filed Sept 7-1864
U.S.M.T. Telegraph
Office

Telegram
John Blair
Pelican Cove
N.Y.

FOR PERSONAL
BEST AVAILABLE COPY

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, DEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
..... of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
Court, this ... day of 1886

.....
Clerk Superior Court

POOR ORIGINAL,
BEST AVAILABLE COPY

End

Nation's No. /

Commissioner's No.

Date Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of the application of

[redacted]

No. [redacted]

[redacted]

No. [redacted]

[redacted]

Your respondent, [redacted], Nation, answers and demurs the said application [redacted]

1st. [redacted] this controversy, and [redacted]

2nd. [redacted] applicant [redacted] entitled to [redacted]

Respondent [redacted] the said application, says [redacted]

[redacted]

Having duly given [redacted] dismissed.

[redacted], Principal Chief, Cherokee Nation.

By [redacted] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being first duly sworn, states that the matters contained in the foregoing [redacted] knowledge, and belief.

Subscribed and sworn to before me, this [redacted] day of [redacted] 1896.

[redacted]

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Letitia J. Gibson for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this [illegible] day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires [illegible]



Clk. 125.

The State of Ohio,

Athens, County, ss. } I, Lee T. McCarthy, Clerk of the Court of Common Pleas, a Court of Law and record for said County, do hereby certify that Oath D. S. Lane before whom the annexed was taken, was, at its date, a Notary Public in and for said County, duly authorized by the laws of Ohio to take the same, that his commission dates April 27 A. D. 1894, and expires April 27 A. D. 1897; that I know his hand writing, and verily believe that his signature to the annexed instrument is genuine.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court at Athens, Ohio, this 1 day of Aug. A. D. 1896

Lee T. McCarthy Clerk

By , Deputy Clerk

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ... earnestly and respectfully represents that he is .....

..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the .....

..... through .....

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be accorded all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name as ....., age ..... years

residence Johnson Station in the State of ....., postoffice address .....

..... County of Athens ..... State of ....., occupation that of a .....

Most Respectfully Submitted,

Attesting witnesses:

John A. Stephenson [SEAL.]

J. P. Lane [SEAL.]

Kilpha Gibson [SEAL.]

STATE OF .....

COUNTY OF Athens } ss.

Personally appeared before me, J. P. Lane

a ..... and for said county in the State aforesaid, ... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A. who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 31 day of July 1896.

Kilpha Gibson

Attesting witnesses:

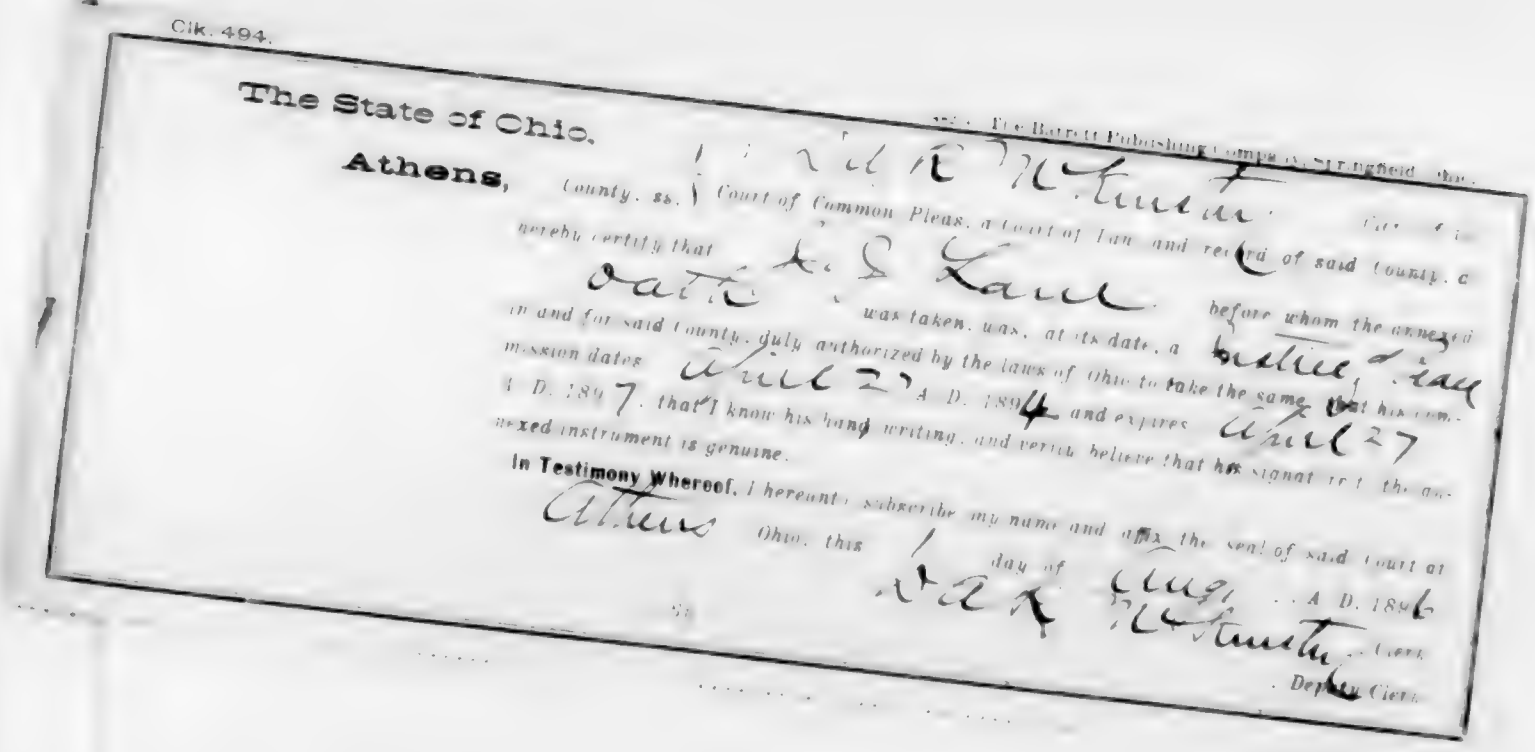
John A. Stephenson [SEAL.]

J. P. Lane [SEAL.]

Subscribed and sworn to before me, a ..... as aforesaid, on this 31st day of July 1896, and do certify that I am personally acquainted with ..... the said petitioner, and know that ..... is a credible person and entitled to full faith and credit before any of the Courts of the State of Ala, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to ..... by blood or marriage.

J. P. Lane

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED



Clk. 494.

The State of Ohio.

Athens, County, ss. I, Wilk McIntire, Clerk of the Court of Common Pleas, a Court of law and record of said County, do hereby certify that D. S. Lamb before whom the annexed deposition was taken, was, at its date, a Notary Public and for said County, duly authorized by the laws of Ohio to take the same, and his commission dated April 27, A. D. 1894, and expires April 27, A. D. 1897, that I know his hand writing, and verily believe that his signature to the annexed instrument is genuine.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court at Athens, Ohio, this 1 day of Aug, A. D. 1896.

Wilk McIntire, Clerk.

By ..., Deputy Clerk.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

[illegible] To Cherokee Indian Citizenship

AFFIDAVIT OF [illegible]

STATE OF [illegible]
COUNTY OF Athens

On this the 31st day of July A. D. 1896, personally before me J. F. Kane a Justice of the Peace [illegible] the county aforesaid duly authorized to administer oaths, appeared [illegible] aged [illegible] years, a resident of Athens county, and State of [illegible] whose post-office is [illegible] who [illegible] being duly sworn according to law, says that [illegible] Indian by [illegible] and [illegible] Indian [illegible] Affiant further says on oath [illegible]

[illegible]

[illegible] Clerk [illegible]

Affiant further says that [illegible] Sizemore [illegible] Clerk [illegible]

Affiant further says that [illegible] that [illegible] neighbors and the public generally as a person of [illegible] Indian [illegible] and that from [illegible] appearance she [illegible] and is an admixture of [illegible] and Cherokee [illegible] Indian by [illegible]

Affiant further says the above statements are true to the best of [illegible] knowledge and belief.

Subscribed and sworn to before me this 31st day of July A. D. 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

J. F. Kane

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian, and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C., that said Sizemore came from the home of the Cherokee Indians in Western N. C. or Ga., some seven or ten years prior to the time affiant first knew; that he after went back to where he came from and died; that affiant first knew said Ned Sizemore [illegible] located after coming back to Ashe county, N. C. where he and [illegible] Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter [illegible] affiant personally know, that said Owen Sizemore had a daughter [illegible] one James Blevins, and lived in Ashe county, N. C. that said James and Lydia Blevins had several sons and daughters, from whom have descended a number of the present claimants, [illegible] said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had several sons and daughters among whom were Abraham who married Louisa Reed and Margery who married Robert Hash, George Hart who was the father of Marcus Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Dorcas Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] WILLIAM x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said William Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hash, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C. that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C. and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Marcus Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, dorcas Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurly, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wanford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. W. A. Roberts Notary Public.

My commission expires Mar 5th 1900

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Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barter, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wavesspeed, in said County, and that he is personally acquainted with Zelphia J. Gibson who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Zelph J. Gibson is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that She is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Barter

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.

W. A. Nichols Notary Public.

My Commission expires, March 7, 1900.

No. 228-9

IN THE MATTER OF

Claim to Citizenship of

Co. Union, Ohio,

(Original Petition)

Filed Sept 7-1894

A S McClung

Clerk

John Beamer

Filed Clerk

Mch

AFFIDAVIT OF WITNESS.

I, [illegible] a Notary Public in and for the County and State aforesaid, appeared [illegible] who after being by me duly sworn states that he is [illegible] years of age and a citizen of [illegible] County, and State of [illegible] who is an applicant for [illegible] Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in his application for citizenship, and affiant says that the said [illegible]

[illegible] for the past [illegible] years [illegible] neighbors, acquaintances and the public [illegible] that the complexion, physical appearance [illegible] indicate that the said [illegible] is of Indian blood. Affiant further says that he has no interest whatever in the prosecution of the claim of the said [illegible] for citizenship in the [illegible] Nation, I. T., and that he is not related [illegible]

[illegible] A. D., 189[illegible], and I further [illegible] connected with the said [illegible] and [illegible] to [illegible] and [illegible] to [illegible]

[illegible] My commission expires on the [illegible] day of [illegible], 189[illegible].

STATE OF NORTH CAROLINA, } ss.
[illegible] COUNTY.

I, [illegible] Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court this [illegible] day of [illegible], 1896.

[illegible]
Clerk Superior Court

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End

Nation's No. 3237

Commission's No.

In re Application of

Robert W Waldrip Jr

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Robert H Hall Jr. Nation's No. 32 39
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient in trace, to show that the applicant is entitled to citizenship.

Respondent not waiving h[illegible] aforesaid demurrer, but insisting upon the same for answer to said application, says that Emaretta Boudyo through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Nuckolls Nicholson & Adair Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the [illegible] day of Sept 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at 188

Registered Letter / Parcel No. 235 Rec'd Sept 7 1896.

of J. P. Mullen

addressed to Hon Saml Mayes -

Tahlequah - I. T.

W. A. Potter P. M.

REGISTRY RECEIPT.

Robert N Mullins
Lam
Lamar
72
and the said Fannie
Alpha Anderson, Alva [illegible] Bowden, Tracy [illegible] and Isaac [illegible] Cornish, is now living at Sherman, Grayson County, Texas, affiant further say that she [illegible] 73 years old and that to him the facts above testified about from her own knowledge are acquainted with the families of the said Priscilla Anderson and Haley Cornish and knows that they were full blood Cherokee Indian by blood and are entitled to all of the rights, privileges and immunities of other Cherokee Indians and that the physical appearance of the respective families show that the the members of each of the said families are full Cherokee Indians as above set out in this affidavit.

[illegible]

Sworn to and subscribed before me this the [illegible] day of October [illegible]

[illegible]

My Commission Expires
JUNE 1ST, 1927.

Notary Public in and for Lamar County, Texas.

POOR ORIGINAL -
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AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Robert W.Walters,Et-Al.,

for admission to citizenship in the Cherokee, **Nation.**

State of Texas. }
County of Grayson, } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Fannie Scroggins, who, after being by me duly sworn, states That she is 58 years of age and a resident of the State of Texas, and County of Grayson and her post office address is Sherman,Grayson Co,Texas that she is personally acquainted with Robert W.Walters,A Child who is an applicant for Citizenship in the Cherokee Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That she was acquainted with Priscilla Scoggs,that she was a sister of Mahaley Scoggs,the mother of this affaint;that the said Priscilla Scoggs was borned at Mayfield,n K'y,in about 1814 and that in about 1835 she married Wm.Anderson,and by him had a daughter Alpha Anderson,who was borned in 1838 or 1839 with Mayfield,K'y,;that the said Alpha Anderson in about 1856 lived with Robert P.Walters,a white man and had a son by him Robert W.Walters;that the said Alpha Anderson,was owned by Crofford Anderson and in about 1854,the said Crofford Anderson gave the said Alpha Anderson,to his son Bailey Anderson,who in 1859 brought the said Alpha Anderson to Texas and in the year 1860 had her marry one Burt Anderson and by him the said Alpha Anderson had a son Lee Anderson in 1862;that the said Priscilla Anderson died in Kentucky,and the said Alpha Anderson,died in Bonham,Texas in about 1901;that the said Priscilla Anderson,formally Scoggs,was a half blood Cherokee Indian and the said Alpha Anderson,was a One fourth blood Cherokee Indian and her said sons Robert W.Walters,and Lee Anderson,are one Eight Cherokee Indian by blood and that the said Ivory May Walters,the daughter of said Robert W Walters, and the said Nettie Anderson and Simon Anderson,the son and daughter of the said Lee Anderson,are 1/16 Cherokee Indian by blood; That the said Robert W.Walters,was borned on the 11th,day of November 1883 and the said Lee Anderson was borned on the 25th,day of December A.D.1882;that the said Robert W.Walters and Lee Anderson,are of Indian blood and entitled to all the right,privileges and immunities of Cherokee Indian by blood,in the Cherokee Nation.

Affiant further states That she has known the said Robert W.Walters for the past 37 years, and knows that he has been and is recognized by his neighbors acquaintances and the public generally as having Cherokee Indian blood, and that the complexion and physical appearance of the said Robert W Walters, indicate that he is of Cherokee Indian blood and descent. Affiant further says that from the above facts and circumstances and from what he has heard and knows of the family of the said Robert W.Walters, he believes the said Robert W.Walters, to be a descendent by blood of the Cherokee Indian tribe and a lineal descendent of the said Priscilla Anderson and Wm.Anderson, and Alpha Anderson.

Fannie Scroggins

Subscribed and sworn to before me this 2nd day of Sept, 1907.

Elsie Williams
NOTARY PUBLIC

My Commission expires June 14th 1909.

Original

No 2118

APPLICATION OF

Robt W. Walters

Enrollment in Cherokee Nation.

Filed on the 8 day of Sept 1896

Ashley Simmons
Sec'y U.S. Comm. Five Civilized Tribes

Attorney for Petitioner

COPIAC PRINT, South Mcalester

and petitioner respectfully awaits the time and place when his application shall be heard and tried and petitioner will ever pray, etc.

Robert W. Walters

Witness for petitioner.

The above named petitioner Robert W. Walters being duly sworn says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Robert W. Walters

Petitioner.

Subscribed and sworn to before me this 8th day of September 1896.

Notary Public in and for Grayson County, Texas.

Sherman Tex

J. P. Mullen

Do Mcalester

APPLICATION FOR ENROLLMENT.

Before the United States Commission to the Five Civilized Tribes of Indians:

Robert W.Walters, Et. Al. PETITIONER,
vs.
Cherokee Nation, Indian Territory, RESPONDENT

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner Robert W.Walters, states that he and his child, was a Cherokee Indian by blood, was duly recognized by the proper authorities as such in Honham,Texas,where they ever have lived and enjoyed all the rights, privileges, benefits and immunities of other Cherokee Indians by blood in the said Cherokee, Nation or Tribe of Indians, and that the name of the said Robert W.Walters & child appears or should appear upon the authenticated rolls of the said Cherokee Indians for the year 1896,

That the petitioner is a lineal descendant of the said Pricilla Scaggs, & Ed Anderson, to-wit That the said Priscilla Scaggs,was borned in Mayfield,Graves County,K'y in about 1814 and married in about 1838 and by this marriage had a daughter Alpha Anderson,in about 1838 or 1839;that in about 1855 the said Alpha Anderson,lived with one Robert P.Walters,a white man and by him had a son Robert W.Walters,in about 1859;that at that time the said Alpha,was owned by Crowford Anderson and by him given to his son Baily Anderson,who brought her to Texas,in year 1859 and brought her away fro[m] said Robert P.Walters,;that in about 1865 the said Alpha,Anderson by direction of her master married one Burt Anderson and by this marriage they had a son Lee Anderson,who was borned in about 1862;that the said Priscilla Scaggs,was a half blood Cherokee Indian and the said Alpha Anderson was a One fourth blood Cherokee Indian and the said Robert,W. Walters and the said Lee Anderson,are One Eight Cherokee Indian by blood and are entitled as such to the rights and privilages of that under the constitution, laws, usages and usteres of the said Cherokee Nation or Tribe of Indians and the laws of the United States and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Cherokee Tribe of Indians in Indian Territory and entitled to all the rights benefits, privileges and immunities of other Cherokee Indians by Blood.

That there are now living legal descendants of your said petitioner the other persons as follows to wit

Ivory Way Walters	a	Female	and	10 years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age
	a		and	years of age

Wherefore, the premises considered your petitioner prays that his name, with those of

his said descendants to-wit Ivory May Walters,who lives at Bonham,Fannin County,Texas.

that his and her name be enrolled and admitted to all the rights, benefits, privileges and immunities of said Cherokee Indians, in and to the Cherokee Nation or [illegible] and petitioners will ever pray.

And in support of said petition they file herewith the affidavits depositions and record evidence namely

The Affidavit of Mrs Fannie Scroggins,who lives at Sherman,Grayson County,Texas.

And petitioners request that a time and place when his application shall be heard and tried and petitioner notified be fixed.

J.R.Millen & Chas.Lemmon
Attorneys for petitioners.

The petitioner Robert W.Walters says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief

Robert W.Walters
Petitioner.

Subscribed and sworn to before me, this 2nd, day of September 1896.

J.C.Haizlip
Notary Public in & for Grayson County,Texas.

Filed on the 8 day of Sept 1896
Geo. A. Cochran Principal Clerk

Attorneys for Petitioner.

CAPITAL PRINT, South Mercedes

Enrollment No. 4118
Robert W. Walters
Cherokee
Nation

Sherman Tex
J.R.Millen
Chas.Lemmon

End

Nation's No. 1055.
Commission's No.
In re Application of

Allen [illegible], et al.

Demurrer and Answer.

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Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Alice [illegible], &c., &c. Nat'n's No. 2955.
Com'rs's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, answers and demurs the said application, and for ground of demurrer says:

1st. That this Commission has no jurisdiction of the parties or subject matter of this controversy, and no legal right thereto, by reason of the premises.

2nd. That the application does not state facts sufficient to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom they claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, and denies, and declines, that his name does not appear among the authenticated rolls of said Nation, and that he or any of his ancestors now reside, or ever have resided in the Cherokee Nation [illegible] as thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being [illegible] sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] 1896.

NOTARY PUBLIC.

Petition and Memorial
for Cherokee Indian Citizenship

To The Hon Dawes
your Petitioner
[illegible]
[illegible]
[illegible]
[illegible]
The Late [illegible]
Bashaba Miller who was a descendant of
Nelly Blevins who was [illegible] Cubba-
Blevins who [illegible] Seven
Dozenmore who was a son of Red Dozenmore
a full blood Cherokee [illegible] your
Petitioner therefore submits [illegible]
[illegible] Goddy the above statement of
facts as grounds for [illegible] application
for Cherokee Indian citizenship as more
said in the Cherokee Nation and
Ask for full and Complete investigation
of his claim and if the same is found
to be valid and correct as here in
stated that he be allowed all the right
& Privileges and immunities of other
citizens of said Nation Petitioner [illegible]
name is Allen Miller age 47 years
Residence Eye County of Tyler & State
of U.S.A. Postoffice address Eye Tyler U.S.A
Occupation that of Farmer [illegible]
Married and have seven children
Bashaba age 23 years George [illegible] 21
Lidia, age 18 years [illegible] age 14

Hannah, age 13. Henry, age 11 and
J., age 7 most respectfully submitted
attesting witnesses

Allen.

355
355

State of N.C.
County of Ashe }
Personally appeared before me, [illegible]
a Justice of the Peace in and for said county
in the State aforesaid Allen Miller
the Petitioner in the above Petition for
Cherokee Indian Citizenship in the Cherokee
nation & duly sworn according to law states
that the facts set forth in his said
Petition above are true as stated
therein this the [illegible] day of Aug 1878
attesting witnesses [illegible]

[illegible]

subscribed & sworn to before me a Justice
of the Peace as aforesaid on this the [illegible] day
of Aug 14 78 and I do certify that I am
personally acquainted with Allen Miller
the said Petitioner and knows that he is a
credable person and entitled to full faith
and credit when in any of the courts of the State
of N.C. and that I am not related directly
or indirectly in the prosecution of his
said claim for Cherokee Indian Citizenship
am not related to him by blood or
marriage

[illegible]

STATE OF NORTH CAROLINA }
ASHE COUNTY. }

I, POINDEXTER BEVINS, Clerk of the Superior Court of said county, do hereby certify that [illegible], Esq., whose name is signed to the foregoing certificate was at the time of signing the same a Justice of the Peace in and for said county and State, duly commissioned and sworn, that his acts as such are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this [illegible] day of [illegible] 1878.

[illegible]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

[illegible] Ashe county, N. C. and [illegible] ago to well know one Ned Sizemore who was a full blood [illegible] that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said Ned was located after affiant first knew him and finally made his home in Ashe county, N. C., where he subsequently died. That said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter [illegible] and personally [illegible] said Owen Sizemore had a daughter [illegible] who married [illegible] Blevins and lived in Ashe county, N. C. [illegible] Affiant has never had [illegible] the present claimants and [illegible]

[illegible] Ashe county, N. C. and [illegible]

Affiant [illegible] knowledge and observation and [illegible] the [illegible] of the descendants of Ned Sizemore to [illegible] Cherokee Nation, I. T.

Given under my hand this 5th day of August, A. D. 1896.

Attest J. H. BARTON. Signed his WILLIAM x PRICE. mark.

Sworn to and [illegible] before me this 5th day of August, A. D. [illegible] and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

Signed M. C. HYATT, J. P.

The foregoing [illegible] of affidavit [illegible] with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On the 19th day of August A. D. 1896, personally appeared before me the undersigned Justice of the Peace in and for the county and State aforesaid, Alfred Price, aged 56 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have [illegible] the present claimants; that Catharine was the [illegible] of [illegible] Ned Sizemore who married one James Price and also had [illegible] sons and one niece, Margaret who married Reese Evans, George [illegible] of Mitchell County, Polly who married [illegible] Hiram [illegible] Ned Sizemore also had several sons and daughters whose names affiant does not remember. Affiant further says that said Catharine Price was [illegible] of Alfred Price and [illegible].

Signed ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HENRY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation, } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-eight years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Gibbs
Notary Public.

My commission expires, March 9th, 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible], who after being by me, duly sworn states that he is [illegible] years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is [illegible], in said County, and that he is personally acquainted with Allen Miller, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Allen Miller is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for he past [illegible] years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the people generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

[illegible] G. Ferris

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

M. A. Lewis, Notary Public.

My Commission expires, March 7, 1900

~~Allen~~ Miller

Po. Eye, N. B.

(Sozinsky family)

Filed Dec. 7-1892

C. S. McNamara

John Bucarin

Sussex

N.B.

AFFIDAVIT OF WITNESS.

STATE OF ... N. Carolina)
) ss
COUNTY OF ... Ashe)

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared ... Louisa Lewis ... who after being by me duly sworn states that ... is 74 ... years of age, and a citizen of ... Idaho ... County and State of North Carolina and that ... he ... is personally acquainted with ... Allen Miller ... who is an applicant for citizenship in the ... Cherokee ... Nation, I. T., and affiant further states that the said ... Allen Miller ... is the identical person ... he ... represents ... himself ... to be in ... the ... application for citizenship in said Nation, and that ... [illegible] ... Louisa Lewis, a colored woman ... [illegible] ... Cherokee Indian ... [illegible] ... Nell Blevins who was a daughter of Lydia Blevins who was a daughter of Lydia Blevins ... who was a daughter of Nicholas Lewis ... who was a full blood Cherokee Indian ...

Affiant further states that ... he ... has known the said ... Allen Miller ... for the past 40 ... years and knows that ... he ... is and has been recognized and treated by ... his ... neighbors, acquaintances and the public generally as a person having ... Cherokee ... Indian blood, and that the complexion, physical appearance, language and manners of the said ... Allen Miller ... indicate that the said ... he ... is ... of Indian blood. That from the above facts and circumstances and from statements made to ... me ... by the said ... Allen Miller ... affiant states ... he ... has every reason to believe and does believe that the said ... Allen Miller ... is an ... Indian ... of the Cherokee Indian blood.

Affiant further states that ... he ... has no interest whatever in the prosecution of the claim of the said ... Allen Miller ... to citizenship in the Cherokee ... Nation, I. T., and that is not related by blood or marriage to the said ... Allen Miller ...

Louisa Lewis

Subscribed and sworn to before me this 25 day of October A. D. 1898

and I further certify that I am well acquainted with the said ... Louisa Lewis ... and know ... her ... to be a person of credibility and of truth and veracity.

W. H. Blevins J. P.
Notary Public

My commission expires on the ... day of ... 189

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ... W. H. Blevins ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14th day of November 1898.

P. Blevins
Clerk Superior Court

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation, ss.

I, N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to W.C. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible] Lewis, Infant Page, Wm Page, Wm A. Lewis, J.S. Lewis [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

N Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W H Dobbs Notary Public

My Commission Expires [illegible]

End

SERVICE AFFIDAVIT.

INDIAN Territory
Cherokee Nation

I, [illegible], on oath state that on the Fourth day September, 1896, I, in person, [illegible] FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, a [illegible] package which contained a true copy of the application of Courtney Dean for Citizenship in the Cherokee Nation, Ind. Ter.,

[illegible] Samuel Davis, Wm Rice, Alfred [illegible]

a copy of [illegible] the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter., that affiant has no interest in this matter

[illegible] Baldwin

Subscribed and sworn to before me this, [illegible] day of September, 1896.

[illegible] Tibbits, Notary Public

My Commission Expires [illegible]

Nation's No. 1792

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of the application of [illegible]

for admission to the rights of citizenship in the Cherokee Nation.

Docket's No. [illegible]

Application No. [illegible]

To the Honorable Commissioners to the Cherokee Nation:

Your petitioner, S. H. Mayes, Principal Chief of the Cherokee Nation, appears and answers the petition of [illegible] for admission to the rights of citizenship in the Cherokee Nation.

1st. Denies that the petitioner has any just cause of complaint in the premises set forth in his petition, and denies that he is entitled to the relief prayed for.

2nd. Denies that petitioner has any [illegible] to show that the applicant [illegible] to the Cherokee Nation.

3rd. Denies that petitioner has any [illegible] to show that the applicant [illegible] to said application.

4th. Denies that petitioner has any [illegible] to show that the applicant [illegible] to said application.

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GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Courtney Green To Cherokee Indian Citizenship.

AFFIDAVIT OF [illegible]

North Carolina }
Dare } ss.

16 day July A. D. 1896, personally before me, M. C. Hash
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, Courtney Green aged 23 years, a resident of Dare
county, State of North Carolina whose postoffice is Sussex N.C. who after
being duly sworn says that he is one thirty-second Indian by Blood a
member of Cherokee tribe of Indians. Affiant further says on oath that he derives
his Indian blood from his ancestor, the said
Ned Sizemore as set out in his Petition
and Memorial

Sizemore

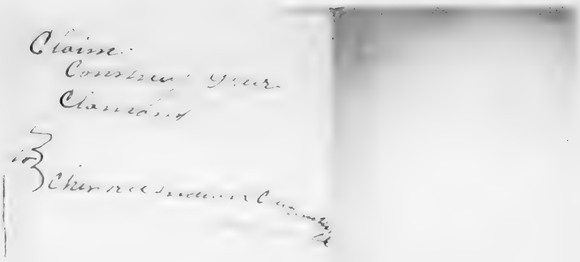
Sizemore family
Cherokee

Cherokee Indian [illegible] and that [illegible]
Cherokee
Cherokee
White and Cherokee and at least one thirty second Indian [illegible]

Courtney Green

Sworn to and subscribed before me this 6 day of July
A. D. 1896 and further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally well known, or has been satisfactorily
identified before me and I verily believe he is a credible person.

M. C. Hash



PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dawes Commission

Your petitioner Courtney Greer ... earnestly and respectfully represents that he is one thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor [illegible] through his mother Charlott V. Price, who was a daughter of Esther [illegible] who was a daughter of Ned Hart, who was a Cathanie Hart, who was a daughter of said Ned Sizemore, who was a Cherokee Indian by full blood

Your petitioner would respectfully submit for your honorable body the above statement of facts as grounds for his application for citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of the same, and if the same is found to be valid and correct as herein stated that he be invested with the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Courtney Greer ... age twenty-three years, residence Ashe Co. in the State of North Carolina postoffice address Sussex ... County of Ashe ... State of N.C. ... occupation that of a farmer

I am a married man and the father of two minor children; George H Greer aged 3 years, Flora Greer aged 1 month

Witnesses:

Respectfully Submitted.

Courtney Greer [SEAL]

[SEAL]

[SEAL]

State of North Carolina, } ss.
County of Ashe }

Personally appeared before me, M. L. Crask a Justice of the Peace in and for said County in the State aforesaid, Courtney Greer the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition are true as stated therein, this the 16 day of June 1896

Attesting witnesses.

Courtney Greer [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of June 1896, and I do certify that I am personally acquainted with the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. L. Crask

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 16th day of June 1896.

Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter, who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896; and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the County of Ashe, in the State aforesaid personally appeared William Price, [illegible] years, a resident of Ashe county, State of North Carolina, whose post office address is Weaversford, N. C. who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he personally knew Ned Sizemore, who was a full blood Cherokee Indian, and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C. [illegible] and Sizemore had come from the [illegible] Cherokee tribe in Western N. C. or [illegible] several years prior to the time affiant first knew him. Affiant cannot say how long prior to affiants first knowing him that Sizemore had been in Ashe county, but affiant states that he was a married man when affiant first knew him and had children by his wife, [illegible] Sizemore, and that Sizemore and family lived as neighbors [illegible] Owen Sizemore, a son of Ned Sizemore, and [illegible] Sizemore, a daughter of Ned Sizemore, [illegible] ago married [illegible] Ashe county, N. C. and [illegible] Sizemore, who were [illegible] Catherine, who married one [illegible] and Virginia, who married [illegible] Price, and brother to Cooper Cox, Wm. Cox, Mrs. Wm. and N. C. [illegible] Nancy Cox, who [illegible] Ashe county N. C., from whom affiant received the information of the [illegible] statements. Affiant further states that Ned Sizemore had the appearance of being a full blood Indian; that he was reputed to be a member of the Cherokee tribe and was so recognized by the Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C. and Johnson county, Tenn. as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Subscribed and sworn to before me this 11th day of August, A. D. 1896, and I certify that I am personally acquainted with the said William [illegible] that he is a person of truth and credibility.

Given under my hand the day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of [illegible] for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of [illegible]

In the matter of the claim of the descendants of Ned Sizemore for citizenship in the Cherokee Nation, I. T.

State of North Carolina. } ss.
County of Ashe.

On this 19th day of August A. D. [illegible] before me personally appeared to me the undersigned Justice of the Peace, [illegible] County of Ashe in the State aforesaid, Alfred Price, aged [illegible] years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some [illegible] years ago he personally knew one Ned Sizemore who [illegible] in Ashe county, North Carolina, and who was a [illegible] of the full blood Cherokee Indian tribe, [illegible] some several years prior to that time from the Cherokee [illegible] settled in Ashe county, N. C. that affiant [illegible] of being a full blood Indian, and was [illegible] numerous [illegible] Ashe county, N. C. and Johnson county, Tenn. [illegible] Ned Sizemore [illegible] Nancy Caldwell and William H. Price, [illegible] Ned Sizemore [illegible] Nancy Caldwell and William H. Price [illegible] the mother of [illegible] Nancy Caldwell and William H. Price [illegible] that was the maiden name of [illegible] the mother of [illegible] Nancy Caldwell and William H. Price [illegible] that was the maiden name of [illegible] was the mother of [illegible]

Affiant further [illegible] information.

[Signed] his
ALFRED PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. HARRY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of [illegible] for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified to Clerk of court under seal of [illegible]

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east: that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. A. Lewis, Notary Public.

My commission expires "March" 1900

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baxter, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wagnersford, in said County, and that he is personally acquainted with Courtney Greer, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Courtney Greer is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Baxter

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.

W. A. Roberts, Notary Public.

My Commission expires, March 7, 1900.

2 1 C

No. 2204

IN THE MATTER of

Claim to [illegible]

Nation [illegible]

Filed Sept 7-1846

AFFIDAVIT OF WITNESS.

State of .....)
County of .....) ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn states that ..... is ..... years of age, and a citizen of ..... County, and State of ..... and that ..... is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... self to be in ..... application for citizenship in said Nation, and that the said .....

Affiant further states that he has known the said ..... for the past ..... years ..... knows that ..... and has been recognized and treated by ..... neighbors, acquaintances and the ..... as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... That from the above facts and circumstances and from statements made to ..... by the ..... affiant states he has every reason to believe, and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T. and that he is not related by blood or marriage to the said .....

Subscribed and sworn to before me this ..... day of ..... A. D. 189 . and I further certify that I am well acquainted with the said ..... and know ..... to be a person of credibility and of truth and veracity.

My commission expires on the ..... day of 189

STATE OF NORTH CAROLINA,)
ASHE COUNTY,) ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of 1896

Clerk Superior Court

End

Nation's No. 2867

Commission's No.

In re Application of

Martha J. Silverman

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and W. M. Montgomery, Commissioners

In the matter of the application of

Martha J. Blevins

Nation's No. 2387-

Commission's No.

To the Commission to the Five Civilized Tribes.

Now comes [illegible] Principal Chief of the Cherokee Nation, comes now and demurs the [illegible] thereof says:

That [illegible] jurisdiction over the parties or subject matter of this controversy, [illegible] and determine the same.

That [illegible] facts sufficient, if true, to show that the applicant is [illegible]

Wherefore, [illegible] insisting upon the same for answer to said application, [illegible]

Through whom the petitioner claims to derive [illegible] right [illegible] Nation, [illegible] is not [illegible] Cherokee Nation, since [illegible] Nation [illegible] That [illegible] located and defined; that his name [illegible] authentic rolls of said Nation; that neither he nor any of his ancestors now [illegible] Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

C. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hutchings & Ramsey Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

2

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation, } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Martha F. Bowers for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Bowers, Wm Bowers, Sarah Bowers, Wm A Bowers Jr & Lizzie Bowers

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

M. A. Roberts Notary Public

My Commission Expires March 27 97.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To ...

Your petitioner, ... earnestly and respectfully represents that he is ..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late ..... through .....

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years.

Present ..... in the State of ..... postoffice address.....

..... County of ..... State of ..... occupation that of a .....

Most Respectfully Submitted,

Attesting witnesses.

..... [SEAL.]

..... [SEAL.]

STATE OF .....
COUNTY OF .....

Personally appeared before me, ... a ..... in the State aforesaid ..... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in the said petition above are true as stated therein, this the ..... day of ..... 189..

Attesting witnesses ..... [SEAL.]

..... [SEAL.]

..... [SEAL.]

Subscribed before me, a ..... as aforesaid, on this ..... day of ..... 189..

I do certify that I am personally acquainted with ..... the said petitioner ..... know that he is a credible person and entitled to full faith and credit before any of the Courts ..... and that I have no interest directly or indirectly in the prosecution ..... n for Cherokee Indian citizenship and am not related to h..... by blood or marriage.

.....

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of 1896

.....
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }

[redacted]

after being duly sworn, states that he is [redacted] years old, a resident of Grayson county, Va., on Little Helton Creek, [redacted] Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. Hamm, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is [illegible], N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; and Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation.

INDIAN TERRITORY,
Cherokee Nation.

On this, the 2nd day of September, A. D. 1896, personally appeared before me, the undersigned, Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Tahlequah, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east; that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1852 in North Carolina and [illegible] Sizemore was connected in the Georgia [illegible] and again in the Watford enrollment.

Affiant further states that [illegible] whom he believes to have been a citizen by [illegible] that the daughter of said Ned Sizemore, and affiant [illegible] that said Ned Sizemore had a son by name [illegible] George. Affiant further states that [illegible] on the migration of the Cherokees to the Indian Territory remained in North Carolina and from [illegible] that said Ned Sizemore, afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states that [illegible] Affiant states that he was born and raised [illegible] the Sizemore and Hart families [illegible] and as playmates and associates.

Given under my hand and seal this the 2nd day of Sept. written.

Subscribed and sworn to before me this the 2nd day of Sept. 1896.

Notary Public.

My commission expires [illegible]

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared I J Lewis, who after being by me duly affirmed states that he is 44 years of age, and a resident of Washington County, and State of Virginia whose post-office address is Fredonia, in said County, and that he is personally acquainted with Martha J Blevins who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Martha J Blevins the individual person he represents herself to be in her application for enrollment as such Cherokee, and that he has known the said applicant for the past 16 years and knows her to be a person having Cherokee blood; and that the complexion, features, language and manners of the said applicant indicate that she is a Cherokee citizen. From these facts and circumstances and from statements made to him by the said applicant herein, he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

I J Lewis

Subscribed and affirmed to before me this 7 day of September, A. D., 1896.

W H Robb Notary Public.

My Commission expires May 7 1901

2247

IN THE MATTER OF

No.

Filed Sept 7- 1894
A. D. McKinnon
Clerk

John Sherman
Solicitor for
Petitioner

AFFIDAVIT OF WITNESS.

STATE OF ..... }
COUNTY OF ..... } ss

Before me, the undersigned, a ..... in and for said County and State aforesaid, personally appeared ..... who being duly sworn states that he is ..... years of age, and a citizen of ..... County and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said .....

Affiant further states that he has known the said ..... for the past ..... years and knows that he is and has been ..... under all circumstances and the person generally reputed and known as having ..... by which appellation he is known and called. That to the above statements made by this affiant states he ..... believe that the said ..... is of .....

Affiant further states that he has no interest whatever in the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related by blood or marriage to the said .....

Attest.

.....

Subscribed and sworn to before me this ..... day of ..... 1896, and I further certify that I am well acquainted with the said ..... and believe him to be a person of credibility and of truth and veracity.

.....

My commission expires on the ..... day of ..... 1896.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county do hereby certify that ....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ..... day of ..... 1896.

.....
Clerk Superior Court

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Cathane Weaver for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of himself, Alfred Rice, Daniel Dennis, Wm. Rice, Wm. A Lewis, J M Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 4th day of September, 1896.

W. T. Hobbs Notary Public

My Commission Expires March 7th 1900

Nation's No. 1 7.

Commission's No.

In re Application

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible] Nation's No. 1667.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now living, [illegible] citizenship in the Cherokee Nation, Indian Territory, as aforesaid.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To the Hon Dawes Com

I petition[er] Catharine Hearn to recommend the following
[illegible], earnestly and respectfully represents that she is one
eighth Cherokee Indian by blood, deriving the same from her lineal ancestor, the
said Ingram through late Hester Ann C. Baldwin who
was a son of Catharine Caldwell who was a Cherokee
& Catharine Hart who was a Negro & said Ingram
a full blood Indian

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for h[er] application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete enrollment of her claim and if the same is found to be valid and correct as herein stated, that he be allowed all rights, privileges and immunities of other citizens of said Nation.

Former name if [illegible] Catharine Hearn, age 68 years
born Ingram P.O. Grayson in the State of Virginia, postoffice address White
Top P.O. County of Grayson State of Va. occupation that of Farmer
I am married and have eight children to wit
Ingram Age 44 years Hillsman Age 42 years Hearn
Age 32 years Emmit Age 30 years Thornton Age 28
Hamilton Age 26 years Margaret Lillison Age 23 years Winfield 18

Most Respectfully Submitted,

Catharine X Hearn [SEAL.]
mark

[illegible] SEAL.
[illegible] SEAL.

North Carolina
Ashe

Subscribed and sworn to before me, E. M. Hart Justice of the Peace
a [illegible] in the State aforesaid, Catharine Hearn the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in said petition above are true as stated therein,
this the 7 day of Aug 1896

Attesting witnesses.

E. M. Hart [SEAL.]
J.P.

E. M. Baldwin SEAL.

SEAL.

State of [illegible] Sworn to before me, a Justice of the Peace as aforesaid, on this 7 day of
Aug 1896 and I do certify that I am personally acquainted with
the witnesses and know that they is a credible person and entitled to full faith and credit before any of
that [illegible] State of N.C. and that I have no interest directly or indirectly in the
prosecution of said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

D. M. Hart J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county do certify that [illegible]
[illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that full faith and credit
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17th day of August 1896.

P. B. Blevins
Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

... To Cherokee Indian Citizenship.

AFFIDAVIT OF ...

STATE OF North Carolina
County of Polk

... day of ... A. D. 1896, personally before me ... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths appeared ... aged ... years, a resident of ... ... who after being by me duly sworn according to law, says that ... Indian by ... and ... Indian citizenship. Affiant further says on oath ...

... family, whose name ... that were taken by the United States government, by blood, of the Cherokee tribe of ... Affiant further says that ... to be of Cherokee ... tribe of Indians.

Affiant further says ... Indian family and that affiant ... Indian blood and that from ... Indian blood ... and Cherokee and at least one ... Indian by blood.

Affiant further says the above statements are true to the best of ... knowledge and belief.

... her
... mark

Subscribed and sworn to before me, this ... day of ...
A. D. 1896, and I further certify that the foregoing affidavit was read to affiant ... my presence. That said affiant ... personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

...

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

FOR ORIGINAL
BEST AVAILABLE COPY

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his WILLIAM x PRICE. mark.

J. H. BARTON.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genninness of signature of Justice certified by Clerk of court under seal of court.)

FOR ORIGINAL
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. A. Dobbs Notary Public.

My commission expires Mar) 7 1900

Affidavit of Witness.

INDIAN TERRITORY, Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 56 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Lind P.O., in said County, and that he is personally acquainted with Catharine Weaver, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Catharine Weaver is the identical person she represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. M. Baldwin

Subscribed and sworn to before me, this 2 day of September, A. D., 1896.

M. A. Dobbs, Notary Public.

My Commission expires, March 7, 1900.

Catharine Beaver
Claimant
vs
Choctaw Indians
Treaty of
Dancing Rabbit Creek

(Signature pauper)

Filed Sept 7 1896
A S McKennon
Comm

Recorded

John Brannin
Asst Comm

In the matter of the
Cherokee Orphans

Deposition of Witness
Before John W. Finley Jr.

[illegible] (Elisha Blevins
[illegible] sworn [illegible] oath in due form of Law and
[illegible] states [illegible] that he is 94 years
[illegible] age and a Citizen of Ashe County N.C.
[illegible] is in [illegible] acquainted with
[illegible] Weaver. She is the applicant for
[illegible] ship in the Cherokee Nation I.T.
[illegible] that he knows from his own personal
[illegible] that she is the identical
[illegible] she represents herself to be.
[illegible] that the said Catharine Weaver is a
[illegible] daughter of William & Baldwin whose
[illegible] was Catharine Colwell a daughter
[illegible] Colwell [illegible] Miller some years
[illegible] since [illegible] a descendant of Red
[illegible] Wood Bird Indian
[illegible] that he has
[illegible] the said Catharine Weaver for the
[illegible] that during that time he
was personally acquainted with William
[illegible] father and [illegible] that
he was known, recognized and treated by
his neighbors and the public generally as
a [illegible] Cherokee Indian blood that the
said Catharine emigrated from Cherokee
[illegible] to Ashe Co N.C. That the
Complexion, Physical appearance, Language
and manners of the said Catharine Weaver

[illegible] is of Eastern Indian [illegible]
[illegible] and
[illegible] and the public generally
[illegible] the [illegible] Circumstances and
[illegible] made by the said Catharine
[illegible] Affiant has every
[illegible] with Verily believe that
[illegible] absent,
[illegible] that he has
[illegible] directly in the prosecu-
[illegible] said Catharine Weaver
[illegible] claim [illegible]
[illegible] to the said Catharine Weaver
[illegible] and [illegible]
[illegible] mixed in Indian blood
[illegible] Delaware and is of Indian and
[illegible] Delaware
[illegible]

[illegible] 58 and [illegible] neither
[illegible]
[illegible] and that [illegible]
[illegible] and that I have no interest directly
[illegible] directly in the prosecution of the claim
[illegible]

J. D. Finley J P

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of the application of
[illegible]
for citizenship in the Cherokee Nation.

Nation's No.

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for grounds thereof says:

1st. That this Commission has not the jurisdiction over the parties or subject matter of this controversy, and no legal right to entertain, to hear and determine the same.

2nd. That the application does not state facts sufficient, at trade, to show that the applicant [illegible] entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

[illegible] the petitioner [illegible] claim to derive [illegible] right to citizenship in the Cherokee Nation as now [illegible] has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as it present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, [illegible] have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this the [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,)
Cherokee Nation.) ss

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Eugene Blevins for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of Saml Davis, Alfred Price, Wm Price, [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. A. Dobbins Notary Public

My Commission Expires [illegible]

Claim
Eugene Thom
Ex
3
Cherokee Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Dawes Commission

Your petitioner, Eugene Blevins earnestly and respectfully represents that he is a Cherokee Indian by blood, deriving the same from his lineal ancestor, the at through his father Eugene Blevins who was a son of James Blevins who was a son of Ned Sizemore a Cherokee Indian of the full blood

Your petitioner further submits to your honorable body the above statement of facts as grounds for h application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com Petitioner's enrollment of his children and if the same is found to be true and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name is Eugene Blevins age twenty-three years; postoffice address Ore Cove County, Ashe State North Carolina occupation that of a farmer

Witnesses.

Eugene Blevins [SEAL]

[SEAL]

[SEAL]

State of North Carolina, County of Ashe

Personally appeared before me Enoch Dove a Justice of the Peace within and for said county in the State aforesaid, Eugene Blevins the petitioner in the above petition for Cherokee Indian citizenship to the Cherokee Nation, Indian Territory, who after being duly sworn, according to law states that the facts set forth in his said petition above are true as stated therein, this the 4 day of June 1896

Witnesses.

Eugene Blevins [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 4 day of June 1896, and I do certify that I am personally acquainted with the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Elisha Davis J.P.

STATE OF NORTH CAROLINA, ASHE COUNTY. } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Elisha Dove, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 6th day of June, 1896

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

To Cherokee Indian Citizenship.

AFFIDAVIT OF

1.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

BEST AVAILABLE COPY

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C. that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or East Tenn. some several years prior to the time affiant first knew him, that he often went back to where said tribe was located after affiant first knew him, but always came his home in Ashe county, N. C., where he remained [illegible] that said Sizemore had a numerous family of sons and daughters, one of whom Owen Sizemore, a son and Catharine Sizemore a daughter, whom affiant personally knew; that said Owen Sizemore had a daughter Lydia who married one James Blevins, and lived in Ashe county, N. C. that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery, who married Robert Nash, and resided in Grayson County, Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian, that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 70 years, whose postoffice address is Crampler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wade Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, that one was married Robert Nash, George Hart who was the father of Margery Hart and Cornelia Peak and Gruhb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Sam, Grace, Mary Hart and others.

Affiant state these facts from his own personal knowledge and observation. Given this Aug the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged sixty nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian, by blood and of the full blood; that he knew Ned Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled as [illegible] prior enrollment of record that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Dobbs
Notary Public.

My commission expires, June 7th 1900

Affidavit of Witness.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible] Baldwin, who after being by me duly sworn, says that he is [illegible] years of age, and a resident of Ashe County, [illegible] whose postoffice address is Bird, in said [illegible] and that he is personally acquainted with Eugene Bloom, who is an applicant for [illegible] to the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents herself to be in [illegible] and Nation, and that he has known the said applicant [illegible] that she is and has been recognized and treated by [illegible] as a person having Cherokee blood; [illegible] habits, language and manners of the said applicant in- [illegible] That from these facts and circumstances and from [illegible] said applicant affiant states he has every reason to believe [illegible] said applicant is of Cherokee Indian blood.

F. A. Baldwin

Subscribed and sworn to before me this 7th day of September, A. D., 1896.

W. A. Tibbetts, Notary Public.

My commission expires May 7, 1900

2278

IN THE MATTER OF

claim to citizenship in

Nation.

Ft Gibson N.D.

(Mary Ann Lane)

Filed Sept 7-1894

E. D. McKennon

Clerk

John Brannon

Ada Ind. Ter.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina,
COUNTY OF .....)

Before me, the undersigned, a ..... aforesaid, personally appeared William Price who ..... that he is 72 years of age, and a citizen of ..... and that he is personally acquainted with ..... In the Cherokee Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in the ..... that the said .....

Affiant further states that he has known the said ..... and knows that he is and has been recognized ..... generally, as a person having ..... and matters of the said ..... That from the ..... affiant states ..... Affiant further states that he has no interest whatever in the ..... to citizenship in the ..... related by blood or marriage to the said .....

Attest J. H. Barter

William Price
his
mark

Subscribed and sworn to before me this 11 ..... that I am well acquainted with the said William Price ..... of credibility and of truth and veracity.

M. C. Hall

My commission expires on the ..... day of ..... 1880.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn; that to his official acts are entitled to full faith and credit, and that his signatures thereto is genuine. Witness my hand and seal of said Court, this 11 day of December 1880.

Clerk Superior Court

End

Nation's No. 1,052.

Commission No.

Date Application filed

[illegible]

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

P. J. [illegible] Nation's No. [illegible]

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes and demurs the said application, and for the ground as therefor says:

1st. That this Commission has not jurisdiction of the matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting thereon, for answer to said application, says that [illegible]

through whom the applicant claims, [illegible] right to citizenship in the Cherokee Nation is not now, and never was, a member of the Cherokee Nation, since the removal of said Nation, west of the Mississippi River, and that his name does not appear on any of the authenticated rolls of said Nation, nor does any of his ancestors now reside, nor ever have resided in the Cherokee Nation [illegible].

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I in person delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of D. J. Brooks for Citizenship in the Cherokee Nation, etc. Etc.,

and of the affidavits of Sand Lewis, Wm Price, Elias Price, D. M. Ross, Jesse [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. J. Baldwin

Subscribed and sworn to before me this 7th day September 1896.

W. H. Davis Notary Public

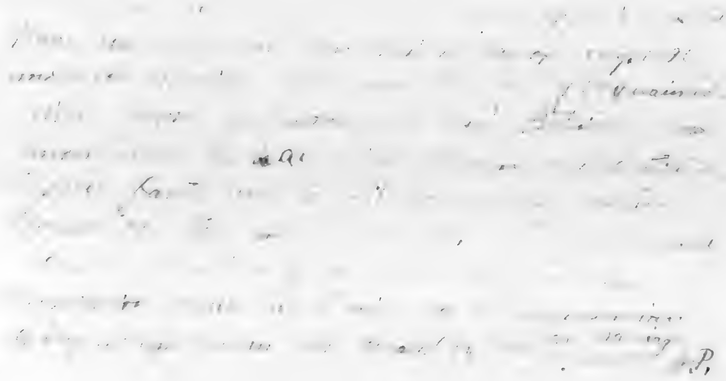
My Commission expires [illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14 day of August 1896.

.....
Clerk Superior Court

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In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a full blood Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by the neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

[illegible] State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew [illegible]more who then lived in Ashe county, [illegible] Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C, that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed]
J. H. BARTON. his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendents of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. M. Kelsbies, Notary Public.

My commission expires Nov 5th 1898

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Reddmon, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Zeno, in said County, and that he is personally acquainted with W. J. Snoden, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said W. J. Snoden is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 2 years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Reddmon

Subscribed and sworn to before me this 31 day of September, A. D., 1896.

M. A. Dobbs, Notary Public.

My Commission expires, March 7, 1900.

No. 228

IN THE MATTER OF

E. J. Lee

Wood, N. C.

Richmond County

Filed Sept 7, 1894

A. S. McKinnon

Comr

John Benjamin

Silas Creek

P.O.

AFFIDAVIT OF WITNESS.

State of ...
County of ...

Before me, the undersigned, a ... and for the County and State aforesaid, personally appeared ... who after being by me duly sworn states that he is 69 years of age and a citizen of ... County, and State of North Carolina and that he is personally acquainted with ... who is an applicant for citizenship in the Cherokee Nation. I T and that he knows that the said ... is the identical person, as represented and described in the application for citizenship in said Nation, and that the said ... Tucker Who Was ... Who Was a Long ... of ... Rose Mary Who ... More Who Was a ... Cherokee

Affiant further states that he has been ... last 35 years and knows that he ... and the said ... generally as a person of ... years, of sound appearance ... language and states from the said ... D J Tucker ... of Indian blood. That from the above facts and ... statements made to him by the said ... affiant states he ... verily believe, and does believe that the said ... Affiant further states that he has no interest ... in the prosecution of the claim of the said D J Tucker ... to citizenship in the ... Nation; that he is not related by blood or marriage to the said ...

Subscribed and sworn to before me this ... day of ..., and I further certify that I am well acquainted with the said ... and know him to be a person of credibility and of truth and veracity.

My commission expires on the ... day of ... 189 .

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said County, do hereby certify that ... Esq., whose name is signed to the foregoing ... was at the time of so doing a Justice of the Peace in and for said county and State duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this 19 day of ... 1898.

Clerk Superior Court.

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End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible], Citizen.

Nation's No. [illegible].

Commission's No.

for Citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, in the premises, to hear and determine the same.

2nd. That the [illegible] application is insufficient, in fact, to show that the applicant [illegible] entitled to citizenship.

Respondent for answer to the [illegible] demurrer, but insisting upon the same for answer to said application, says [illegible]

this is upon the petitioner's claim to derive [illegible] right to citizenship in the Cherokee Nation. He is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory as at present located and defined; that his name does not appear [illegible] rolls of said Nation; that neither he nor any of his ancestors now [illegible] Cherokee Nation in Indian Territory, or elsewhere.

Having fully answered, respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1886.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Fanny Wade for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, Sam'l Price, [illegible],

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

[illegible] Notary Public

My commission [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner, ... earnestly and respectfully represents that he is ..... Cherokee Indian by blood, deriving the same from [illegible] lineal ancestor, the late ..... through .....

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation, and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is ..... age ..... years; residence ..... in the State of ..... postoffice address ..... County of ..... State of ..... occupation that of [illegible]

Attesting witnesses.

..... [SEAL.]

..... [SEAL.]

Most Respectfully Submitted,

[illegible] [SEAL.]

STATE OF .....

COUNTY .....

Personally appeared before me ..... a ..... in and for said county in the State aforesaid, ... the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in the said petition above are true as stated therein, this the ..... day of 189

Attesting witnesses.

[illegible] [SEAL.]

SEAL.

SEAL.

Subscribed and sworn to before me, a ..... as aforesaid, on this ..... day of ..... 189 , and I do certify that I am personally acquainted with ..... the said petitioner, and know that ..... is a credible person and entitled to full faith and credit before any of the Courts of the State of ..... and that I have no interest directly or indirectly in the prosecution of the said claim for Cherokee Indian citizenship and am not related to ..... by blood or marriage.

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county do certify that ..... Esq., whose name is signed to the foregoing certificate was at the time of so doing Justice of the Peace in and for said county and State duly commissioned and sworn, that all his official acts are entitled to full faith and credit and that his signature thereto is genuine. Witness my hand and seal of said Court, this 27 day of [illegible] 189[illegible]

[illegible]
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission on the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Warrensville, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him, but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. Barton. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. Hash, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. Hurly, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, } ss.
Cherokee Nation, }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Judicial District of the Indian Territory, William A. Lewis, aged [illegible] years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokees in connection with its migration from the east, that he was well acquainted with the majority of the members of said tribe who so emigrated as well as of those who remained in the east; that he was personally acquainted with one Ned Sizemore, in the Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the statements of said Sizemore and his acquaintance with him, affiant believes to have been a Cherokee Indian by blood and of full blood; that he knew said Sizemore from about the year 1822, in North Carolina and believes that said Sizemore was enrolled as a Cherokee by reason of about that date, and again in Western Cherokee Nation.

Affiant further states that he knew one James Hart, whom he believes to have been a white man and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of [illegible]. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

M. A. Gibbs, Notary Public.

My commission expires Dec. 24, 1898

2209

IN THE MATTER OF

Petition for Ltr. Adm.

(Petition for)

Filed Sept 7-1866

A S McKinnon

Clerk

Petition

Filed Sept 7 1866

AFFIDAVIT OF WITNESS.

—o—

STATE OF .....
COUNTY OF ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn, states that he is .. years of age, and a citizen of ..... County, and State of ..... and that he is personally acquainted with ..... who is an applicant for citizenship in the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents himself to be in said application for citizenship in said Nation, and that the said ..... is .....

Affiant further states that he has known the said ..... for the past .. years and knows that he is and has been regarded as a man by his neighbors, acquaintances and the public generally, as a person having ..... that the complexion, physical appearance, language and manners of the said ..... fully that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is ..... related by blood or marriage to the said .....

Attest .....

Sworn and subscribed to before me this ..... A. D. 189.. and I further certify that I am acquainted with the said ..... and know ... to be a person of credibility and of truth and veracity.

My commission expires on the ..... day of ..... 189.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ..... 1896.

.....
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of:

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

[illegible] Nation's No. [illegible].

Commission's No.

for enrollment as a citizen of the Cherokee Nation.

Now on this [illegible] day of [illegible], 1896, comes [illegible] and makes application to be enrolled as a citizen of the Cherokee Nation, and for the grounds thereof says:

1st. That [illegible] is now a resident of the Cherokee Nation, and has been such for [illegible] years last past, and is a person of Cherokee blood entitled to enrollment as such.

2nd. That [illegible] is now over the age of twenty-one years, and is now and has been for [illegible] years last past a resident of the Cherokee Nation.

Wherefore [illegible] prays that [illegible] be enrolled as a citizen of the Cherokee Nation.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible], 1896.

[illegible]

NOTARY PUBLIC.

[illegible] through whom the petitioner [illegible] claims to derive [illegible] right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, and that [illegible] is not now, and has not been a resident of the Cherokee Nation, but that [illegible] resides and has resided for [illegible] years last past at [illegible] in the Indian Territory, and that [illegible] has never been enrolled as a citizen of the Cherokee Nation; that [illegible] has never been recognized as a citizen of the Cherokee Nation by the Cherokee Nation, and Indian Territory, as [illegible] therein.

Having fully answered the [illegible] asks to be hereby dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorney.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answers are true to the best of [illegible] knowledge and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible], 1896.

[illegible]

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Sudenia Phillips for &c. for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of herself, Alfred Price, Wm Price, Saml Davis, Wm A. Lewis, J. N. Baldwin (Affidavits)

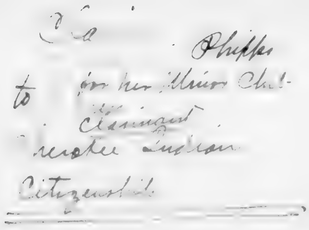
in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

W. A. Dobbins Notary Public

My Commission Expires March 4th 1900



PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To [illegible]

Your petitioner [illegible] earnestly and respectfully represents that [illegible] they are
one [illegible] Cherokee Indian by blood deriving the same from [illegible] lineal ancestor, the [illegible]
through their [illegible]

[illegible] statement of [illegible] grounds [illegible]
[illegible] are Natives and asks for [illegible]
[illegible] and correct as [illegible] said Nation.

Petitioner [illegible] age [illegible] years
[illegible] postoffice address [illegible]
[illegible] occupation [illegible] of a

When [illegible] came [illegible] to [illegible] about [illegible] years ago [illegible] Pa. [illegible] and
20 years, Common [illegible] age [illegible] Ohio [illegible] and
[illegible]

[illegible] (SEAL)

[illegible]

[illegible] the 14 day [illegible]

[illegible] (SEAL)

(SEAL)

[illegible] and sworn to before me at [illegible] this [illegible] day of
[illegible] 1896, and I do certify that I am personally acquainted with [illegible]
[illegible] and know that [illegible] a credible person and entitled to full faith and credit before any of the
[illegible] Courts. [illegible] am not interested directly or indirectly in the prosecution of claim [illegible] Cherokee Indians [illegible] and am not related to [illegible] by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible]
[illegible] Esq., whose genuine signature is to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said County and State, duly commissioned and sworn, that to his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of
said Court this 19th day of August 1896.

[illegible]
Clerk Superior Court



GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Lucinda Phipps for his Minor Children
... To Cherokee Indian Citizenship.

AFFIDAVIT OF ...

... A. D., 1896, personally before me ...
... A Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ... aged 42 years, a resident of ... whose post office is ... who after being by me first according to law, says that ... and ... Indian citizenship. Affiant further says on oath ...

... in Flint District ...

... discovered of the ... appear ... that were taken by the United States ... of the Cherokee tribe ... Affiant further says that he is ... Cherok... and was ... members of the ... to ... Indians.

Affiant further says he has been ... with that ... descended ... Indian family and that ... been reared ... treated by ... neighbors and ... as a person of ... color. He has heard and that ... complexion and physical appearance ... he has every reason to believe and does believe that ... Indian by ... and is an ... of ... and Cherokee and at least one ... Indian by blood.

Affiant further says the above statements are true to the best of ... knowledge and belief.

Lucinda Phipps

Subscribed and sworn to before me, this 4 day of ... A. D. 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe ... to be a credible person.

Elisha Davis

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Caldwell, and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Witness: J. H. BARTON. Signed: his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE. mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation, } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territorry, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm. A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

M. Nichols Notary Public.

My commission expires Oct 22 1899

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Bent, in said county and that he is personally acquainted with Mrs. Rebecca Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Mrs. Rebecca Phipps is the identical person she represents herself to be in said application for citizenship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee blood; that from her complexion, physical appearance, language and manners of the said applicant intimate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Baldwin

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.

W. H. Siboald, Notary Public.

My commission expires March 7, 1900

No. 2221

IN THE MATTER OF

D

Lewis Sayre

Claim to Certificate for Land

Returned to

Pa Sharp Hart Mc

(Signature of party)

Filed Sept 7-1846

A S Mayhew

Clerk

Yours Respectfully

Silas Wright

Mc

AFFIDAVIT OF WITNESS.

State of North Carolina)
County of Ashe) ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Reuben Whitaker Price who after being by me duly sworn states that he is [illegible] years of age, and a citizen of Ashe County, and State of N.C and that he is personally acquainted with [illegible] who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in the application for citizenship in said Nation, and that the said [illegible]

affiant further states that he is well known to said [illegible] for the past [illegible] years and knows that [illegible] and has been recognized and treated by [illegible] neighbors acquaintances and the public generally as a person having [illegible] Cherokee blood and that the complexion, physical appearance language and manners of the said [illegible] indicate that the said [illegible] is of Indian blood. That from the above facts and circumstances and from statements made to him by the said [illegible] affiant states he has every reason to believe, and does believe that the said [illegible] is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said [illegible]

Reuben Whitaker Price

Subscribed and sworn to before me this [illegible] day of [illegible] A. D. 1896, and I further certify that I am well acquainted with the said Reuben Whitaker Price and know him to be a person of credibility and of truth and veracity.

[illegible] Shirley J.P.

My commission expires on the [illegible] day of [illegible], 189[illegible].

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is [illegible] to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court this 19th day of August 1896

[illegible]
Clerk Superior Court

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End

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No. .

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs to said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter in this controversy and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same, for answer to said application, says that

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located, and denies that his name does not appear on one of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By , Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this, the day of , 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Nancy Caldwell for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Rice, Wm. Rice, David Lewis, Wm. A. Lewis, J. M. Baldwin and Elsie Rice

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter

J. N. Baldwin

Subscribed and sworn to before me this, the 7th day of September, 1896.

M. L. Bobbitt Notary Public

My Commission Exp. 1898 Mar 7th 1898

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Dawes Comm

Your petitioner Nancy Caldwell, earnestly and respectfully represents that She is one Eighth Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sigmon through her Mother Catherine Caldwell who was a Daughter of Catherine Hunt who was a Daughter of Ned Sigmon a full blood Indian woman

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that She be allowed all the rights, privileges and immunities of other citizens of said Nation.

Pet'tioner's full name is Nancy Caldwell age 74 years, residence Gray Ins Co in the State of Tenn postoffice address White Top P. O. County of Sevier State of Tenn occupation that of Housewife & has one child to wit

Lloyd H. Caldwell Age 43 Years
George H. Caldwell " 36 "

Attesting witnesses,

R. H. Baldwin [SEAL]

[SEAL]

State of North Carolina
County of Ashe

Most Respectfully Submitted,

her
Nancy + Caldwell [SEAL]
mark

Personally appeared before me, a Justice of the Peace in and for the County and State aforesaid, Nancy Caldwell the petitioner in the above entitled application for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein. This the 7 day of Aug 1896.

Attesting witnesses,

D. M. Hart J.P. [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 7 day of Aug 1896, and I do certify that I am personally acquainted with Nancy Caldwell the petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of N C and that I have no interest directly or indirectly in the prosecution of said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

D. M. Hart J.P.

STATE OF NORTH CAROLINA
ASHE COUNTY.

I, POINDEXTER BEVINS, Clerk of the Superior Court of said county, do certify that D. M. Hart Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of September 1896.

P. Bevins
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

State of N.C.
Ashe County

Exposition of Witness
Before the Undersigned
W.H. Bledsoe J.P.

Now and for the County and State aforesaid Personally appeard Elisha Blevins who makes Oath and who States that he is 94 years old and a Citizen of Ashe County N.C. that he is personally acquainted with Nancy Colwell who is an applicant for Citizenship in the Cherokee Nation I.T. and that he knows from his own personal knowledge that She is the identical person She represents herself to be, That the Said Nancy Colwell is a daughter of Catharine Colwell who was a daughter of James and Catharine Hart whose maiden Name was Catharine Sizemore a daughter of Ned Sizemore a whole blood Cherokee Indian. Affiant further States on Oath that he has known the Said Nancy Colwell for Sixty years that during that time he was intimately acquainted with Catharine Colwell her mother and knows that She was known [illegible] and treated and the public generally as persons of Cherokee Indian Blood, that the Said Ned Sizemore Emigrated from the Cherokee Reservation N.C. and settled in Ashe County N.C. that the Complexion Physical apperance Language and manners of the Said Nancy Colwell Indicates that She is of Cherokee Indian Blood and that She is So known Recognized and [illegible] by her neighbors

And the public Generally and from these facts and Circumstances and from Statments made by the Said Nancy Colwell and ancestors, Affiant has every reason to believe and doth verily believe from his own personal Knowledge and information that Nancy Colwell is of Cherokee Indian blood Affiant further States that he has no interest directly or indirectly in the prosecution of the Claim of the said Nancy Colwell to Citizenship in the Cherokee Nation N.C. and he is not related either by blood or marriage to the said Nancy Colwell and She derived her Indian blood from Mrs Hizemore a white woman Mother Indian, and said Nancy Colwell is of Indian and White descent.

Elisha [illegible] Blevins
mark

Subscribed and Sworn to before me this the 25th day of Jul 1885 I further certify that I am well acquainted with Elisha Blevins and know him to be a person of Credibility and Truth and Veracity and that I have no interest directly or indirectly in the prosecution of the Claim of the said Nancy Colwell for Citizenship in the Cherokee Nation N.C.

W H Blevins

[illegible] Notary Public

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County of Ashe, duly commissioned and qualified, and that full faith and credit are entitled to be given to his official acts. Witness my hand and seal of said Court, this 17th day of August 1886.

(L.S.) [illegible]
Clerk Superior Court

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

M. W. Bobbett Notary Public.

My commission expires, March 1900

Affidavit of Witness.

NORTHERN TERRITORY
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, this day personally appeared J. P. Gilbert, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, in the State of North Carolina, whose postoffice address is Bend, in said County and State; that he is personally acquainted with Nancy Caldwell, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy Caldwell is the identical person she represents herself to be in said application for citizenship in said Nation, and that he has known the said applicant for the period of 23 years and knows that she is and has been recognized and treated by her associates, kindred and the public generally as a person having Cherokee blood; that from her appearance, physical appearance, language and manners of the said applicant indicates that she is of Cherokee blood. That from above facts and circumstances and from information had by affiant from the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. P. Gilbert

Subscribed and sworn to before me this 7th day of September, A. D., 1896.

W. H. Dobbs, Notary Public.

My commission expires June 7, 1900.

No 2228

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Nancy Caldwell [illegible] Cherokee

STATE OF North Carolina
COUNTY OF Polk

On this 7 day of May A. D. 1906 personally came before me D. W. Hart.
a [illegible] authority to administer oaths, Nancy Caldwell aged 74 years, a resident of Cherokee
[illegible] who after being by me duly sworn [illegible] Indian by blood and
a native Cherokee [illegible] further says on oath that she
knows her Grandson Hood grew his ancestor
the late Ned Sequoyah a full blood
Cherokee Indian

[illegible] a full blood descendant of the Sequoyah [illegible] whose name he has [illegible] appear-
[illegible] that [illegible] a [illegible] grandson [illegible] young, of the Cherokee tribe of
Indians. Affiant further says that [illegible] Sequoyah community [illegible] Cherokee
[illegible] Cherokee [illegible]

Affiant further says that he has been [illegible] and [illegible] that he is a descendant
of Cherokee [illegible] and has been [illegible] and treated as a Cherokee by his neighbors and
has [illegible] a Cherokee [illegible] and has the complexion and physical
appearance of a full blood Cherokee Indian and is an admixture of White [illegible] English Indian by blood.

Affiant further says he answers [illegible] to the best of his knowledge and belief.

attest
R. St. Balthis

Nancy her + mark Caldwell

Sworn to and [illegible] before me this 7 day of May
A. D. 1906 and after the foregoing affidavit was read to affiant
he pronounced that affiant is to me personally known (or has been satis-
factorily identified before me) and I believe her to be a credible person.

D. W. Hart. J. P.

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1880, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Thos Pierce for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of Alfred Price, Wm Price, Samuel Downs Wm A. Lewis, J F Lewis Elisha

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the day of September, 1880.

W. H. Dobbs Notary Public

My Commission Expires Mar 25 83

X

Nation's No.
Commission's No
In re Application of

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving said demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors nee, resided, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 189.

NOTARY PUBLIC.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Hon Court
Your petitioner Abel Pennington earnestly and respectfully represents that he is one
half blood Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Abel Lipmon through his daughter Catharine Pennington
who was a dau & Hester Pennington who was a
Pennington & Sylvia Blevins who was a dau of
Isom Lipmon who was son of Abel Lipmon
a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of the same, and that if found to be valid and correct as herein stated that he may be admitted to all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name is Abel Pennington age 35
residence Smyth Co in the State of Va postoffice address Green
Cove County of Washington State of Tenn occupation that of Farmer
I am married to Mary Ann Hilton Dec 1st
Issue as follows Age 14 years Sex Male, 12 years Bonaby
Age 9 years Richard Age 6 years Robt Age 4 years
Lydia Age 2 years

Attesting witnesses.

Most Respectfully Submitted.

SEAL
SEAL
SEAL

State of North Carolina
County of Ashe

Before me, a Justice of the Peace in and for said County, this day personally appeared before me, Abel Pennington the petitioner in the above entitled application for Cherokee Indian citizenship in the Cherokee Nation Indian Territory U.S. and after being by me sworn according to law states that the facts set forth in the said petition above are true as stated therein.

Witness my hand this 7 day of Aug 1896.

Attesting witnesses.

Abel Pennington SEAL

SEAL

SEAL

Sworn to and sworn to before me a Justice of the Peace as aforesaid, at this 7 day of Aug 1896. and I do certify that I am personally acquainted with Abel Pennington and know that he is a credible person and entitled to credit and that I have no interest directly or indirectly in the success of said claim for Cherokee Indian Citizenship and am not related to him by blood or marriage

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ..... Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of Aug 1896

Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Nash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbor and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydda Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing, and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew: that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died: that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew: that said Owen Sizemore had a daughter, Lyodia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed]
J. H. BARTON. his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William P... and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well connected with the majority of the members of said tribe who emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the acquaintance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1842, in North Carolina, and believes that said Sizemore was enrolled on the Cherokee roll[illegible] of about that date, and agrees with the Watford roll next.

Affiant further states that he knew one James Hart, who he believes to have been a Cherokee Indian, who married Catherine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore, on the [illegible] of the Cherokees to the Indian Territory, emigrated to North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school, and as playmates and associates.

Given under my hand and seal this the day and date first above written.

W. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. Goodall, Notary Public.

My commission expires May 9, 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible], who after being by me duly sworn states that he is [illegible] years of age, and a resident of [illegible] County, and State of North Carolina, whose postoffice address is [illegible], in said County, and that he is personally acquainted with [illegible], who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

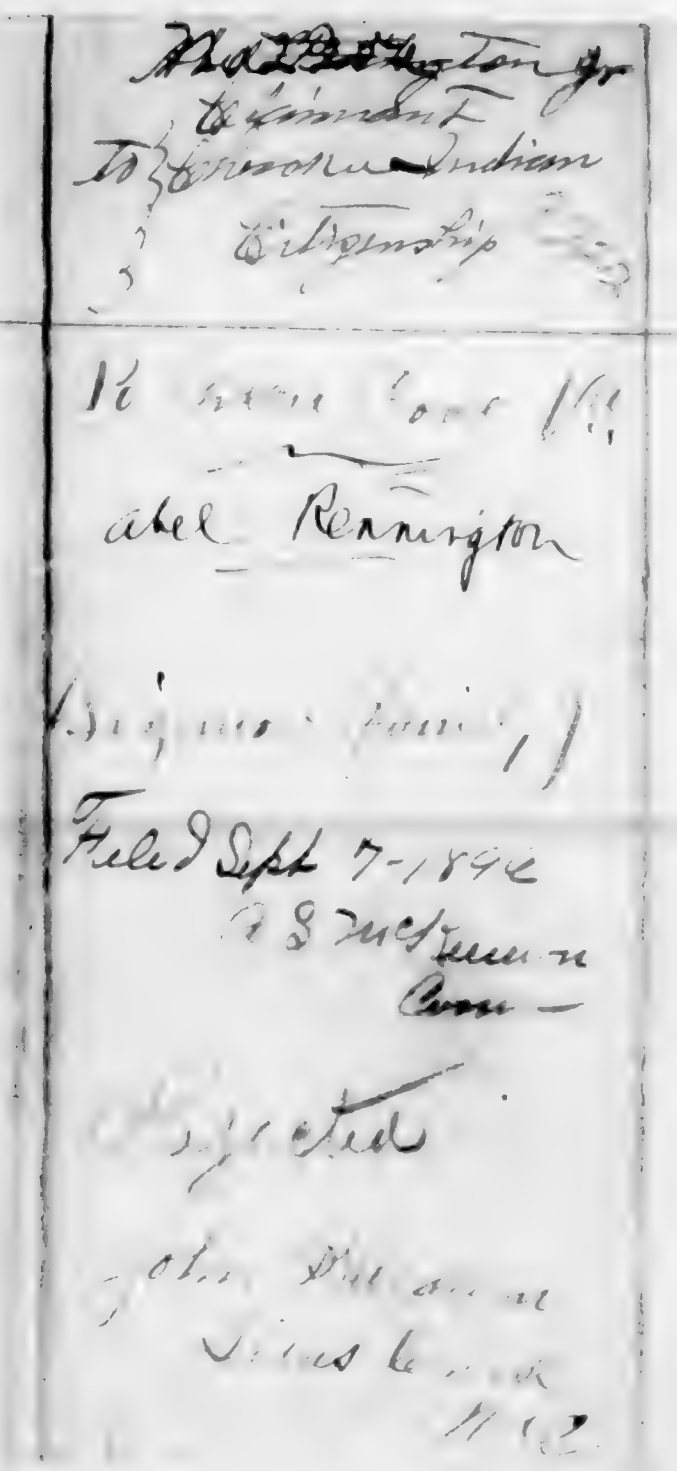
[illegible]

J. G. Smith

Subscribed and sworn to before me, this [illegible] day of September, A. D., 1896.

M. W. Fooks, Notary Public.

My Commission expires, March 7, 1900



complexion physical appearance
carriage and manners of the said
Abel Ennington indicate that he is
a person of African blood and from
the facts and circumstances and
from statement made by the said
Abel Ennington affiant has every
reason to believe and does believe that
the said Abel Ennington is of choctaw
Indian blood. Affiant further states that
he has no interest directly or indirectly
in the prosecution of the claim of said
Ennington & allegations in said petition
that he is not related to the said Abel
Ennington by blood or marriage
to the said Abel Ennington is of choctaw
and Chickasaw descent Elisha [illegible] Harris

subscribed and sworn to before me
this the 20 day of Oct 1888 and I
further certify that I am personally
acquainted with the said Elisha
Harris and know him to be a person
of truth and credibility and that
I am not interested directly or
indirectly in the prosecution of the
claim of said [illegible]

W H Bevins J P

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, PENDEXTER BEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of [illegible] 1896

..... Clerk Superior Court

End

Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of: [illegible] Nation's No. [illegible] 6

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy, and to all proceedings thereon, to hear and determine the same.

2nd. That the [illegible] fails to show a settlement, if true, to show that the applicant [illegible] entitled to proceedings.

Respondent therefore [illegible] asks judgment upon the same for answer to said application, and that [illegible]

[illegible] engrafted on the pretended claim to derive [illegible] right [illegible] Nation, and has not been a citizen of the Cherokee Nation, since the [illegible] 1839, under the statutory and treaty regulations determined; that his name [illegible] Cherokee rolls of said Nation; that he, nor [illegible] ancestors now [illegible] Cherokee Nation or Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary Cherokee Nation having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have spring a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genninness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died: that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed]
J. H. BARTON. his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

Petition and [illegible]
Cherokee [illegible] Registership

To [illegible] Davis [illegible]
Your Pet[itioner] Silver Pennington [illegible]
[illegible] that he is [illegible] the Same from a
Indian by Blood [illegible] the Same from a
Lineal ancestor the late [illegible] Sizemore through a
Mother Nancy Ann [illegible] a Daughter of [illegible] Pennington
a Daughter of Lidia Pearing who married [illegible]
Sizemore who was a Daughter of [illegible] Sizemore a
Son of [illegible] Sizemore a full blood Cherokee
Your petitioner further [illegible] to your Honorable
Body the above Statement of facts as grounds
[illegible] of petition for Cherokee Indian Citizenship
as aforesaid [illegible] Cherokee Nation and that
[illegible] and Cherokee [illegible] by Blood
and if the Same is proved to be [illegible] as
as herein stated that he will be entitled to all the
privileges and immunities of a Citizen of the
Said Nation
Petitioners full name is [illegible] age [illegible]
[illegible] Post Office address [illegible]
[illegible] in the State of Va Pocahontas address [illegible]
County of [illegible] State of [illegible] [illegible]
[illegible] as [illegible]

[illegible]

[illegible]
Silver Pennington

State of [illegible]
County of [illegible] } ss

STATE OF NORTH CAROLINA

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the fourth day September, 1896, I, in person, delivered to WM. JENNINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wm Jno Page, Wm Price, Sam'l Lowe, Wm A Lowe & [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7th day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires [illegible]

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, obi Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. R. L. Lobaugh Notary Public.

My commission expires, March 27th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared Clarence, who after being by me duly sworn states that he is [illegible] years of age, and a resident of Ada, County, and State of North Carolina, whose postoffice address is Medina, in said County, and that he is personally acquainted with Cleo Pennington, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Cleo Pennington is the identical person he represents herself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. G. Lewis

Subscribed and [illegible] to before me this [illegible] day of September, A. D., 1896.

W. H. Hobbs, Notary Public.

My Commission expires, March 7, 1900

Affidavit of Witness

State of [illegible]
County of [illegible]

[illegible] Ruby Blevins who after being by me duly sworn states that he is [illegible] years of age and a resident of the County of [illegible] State of [illegible] and that he knows Thomas Livingston who is an applicant for Letters Patent in the United States and that said Thomas Livingston is the identical person he represents [illegible] in his application and that the said Thomas Livingston is a citizen of [illegible] and that he is a [illegible] and competent to [illegible] and that he is [illegible] and that he is [illegible] and that he is

STATE OF NORTH CAROLINA
Ashe County

I, Pennington Bryans, Clerk of the Superior Court of said County do certify that [illegible] whose name is subscribed to the foregoing certificate was at the time of so doing a Justice of the Peace in and for said County and State duly commissioned and sworn, that his official acts are entitled to full faith and credit [illegible] genuine. Witness my hand and seal of said Court, this 27 day of [illegible]

Clerk Superior Court

[illegible]

[illegible]

[illegible]

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds therefor says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application [illegible] is insufficient, in fact, to show that the applicants are entitled to citizenship.

Respondent not waiving the foregoing demurrer, but insisting upon the same for answer to said application, says that [illegible]

through which the petitioner claims to derive [illegible] right to citizenship in the Cherokee Nation, does not exist, and has not been a citizen of the Cherokee Nation, since the [illegible], 1839, in the Indian Territory as at present located and defined; that his name does not appear [illegible] authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation in Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Eli Penn. et al for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Wm Ped Price, Wm Price, Wm. A. Jones, J. G. Jones, [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. A. Rowlett Notary Public

My Commission Expires Mar 3rd 1902

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO ...

Your petitioner, ... earnestly and respectfully represents that he is ... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late ... through ... who was ... Cherokee Indian.

Your petitioner, ... prays your honorable body the above statement of facts as grounds for his admission for Cherokee ... ship as above set ... the Cherokee Nation and asks for the said completion of ... and his name is found to be ... correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name ... age ... years and ... in the State of ... postoffice address ... County ... State of ... occupation that of ...

Attesting witnesses.

Eli Pennington SEAL

SEAL

SEAL

State of North Carolina

County of ...

Personally appeared before me ... a ... in the Cherokee Nation, Indian Territory, U. S. A., who after being by me duly sworn, says that the facts set forth in the said petition above are true as stated therein.

Sworn to and subscribed before me this ... day of ... 189...

Attesting witnesses,

Eli Pennington SEAL

SEAL

SEAL

Subscribed and sworn to before me, a ... as aforesaid, on this ... day of ... 189... and I do certify that I am personally acquainted with ... and that ... is a credible person and entitled to full faith and credit before any ... and that I have no interest directly or indirectly in the ... of said claim for Cherokee Indian citizenship and am not related to ... by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896

... Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Gruder Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Application for the Enrollment of Ned Sizemore as a Cherokee by Blood before the Dawes Commission.

INDIAN TERRITORY
Cherokee Nation.

On this the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-six years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and he never heard that said Sizemore was [illegible] Cherokee [illegible] always held [illegible] as a Cherokee Indian.

Affiant further states that he knows one Jane Hart, who, he believes has been enrolled as [illegible] who is about [illegible] the daughter of said Ned Sizemore, and affiant also knows that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information and belief, that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemores and Hart families and was familiar with them, at school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

H. D. Roberts, Notary Public.

My commission expires March 1908.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible], who after being by me duly sworn states that he is [illegible] years of age, and a resident of [illegible] County, and State of North Carolina, whose postoffice address is [illegible], at said County, and that he is personally acquainted with [illegible], who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in h[illegible] application for citizen-ship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood, and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

[illegible], Notary Public.

My Commission expires, March 7, 1900.

No. ~~2284~~

IN THE MATTER OF

Claim to Citizenship in

Nation, I. T.

(Signature of party.)

Filed Sept 7-1896

C. D. McKennon

Clerk

John Brockman

Attorney at

Law

N. C.

AFFIDAVIT OF WITNESS.

State of ..... }
unty of ..... } ss.

Before me, the undersigned, a ..... in and for the County and State aforesaid, personally appeared ..... who after being by me duly sworn state that ..... is ..... years of age and a citizen of ..... County, and State of ..... and that ..... is personally acquainted with ..... who is an applicant for citizenship upon the ..... Nation, I. T., and affiant further states that the said ..... is the identical person he represents ..... self to be in h.. application for citizenship in said Nation, and that the said .....

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affiant further states that he has known the said ..... for the past 25 years ... that he said has been recognized and treated by ... neighbors, acquaintances and the public generally as a person having ..... Indian blood, and that the complexion, physical appearance, language and manners of the said ..... indicate that the said ..... is of Indian blood. That from the above facts and circumstances and from statements made to him by the said ..... affiant states he has every reason to believe, and does believe that the said ..... is of ..... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ..... to citizenship in the ..... Nation, I. T., and that he is not related ... by consanguinity or marriage to the said .....

.....

Subscribed and sworn to before me this ... day of ..... A. D. 1896, and I further certify that I am well acquainted with the said ..... and know h... to be a person of credibility and of truth and veracity.

.....

My commission expires on the ..... day of ..... , 189 .

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER RLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing ... Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August 1896.

.....
Clerk Superior Court

End

SERVICE AFFIDAVIT

INDIAN TERRITORY,)
Cherokee Nation.)

I, J. N. BALDWIN, do solemnly swear that on the [illegible] day of [illegible], 1900, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. H. H. HASTINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package writ containing [illegible] in the application of

[illegible]

for [illegible] the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in said matter.

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible], 1900.

[illegible] Notary Public

My Commission Expires [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP

TO

Your petitioner, [illegible] respectfully represents that she is [illegible] Cherokee Indian by [illegible] descending from the same tribe, [illegible] ancestor, the [illegible] through [illegible] who was a [illegible] and was [illegible] daughter of [illegible] a full Blood [illegible]

Your petitioner, therefore, submits herewith [illegible] acts as grounds for [illegible] application for Cherokee Indian Citizenship as [illegible] Nation, and asks for [illegible] investigation of [illegible] and that [illegible] as to the rights, privileges and immunities [illegible] Nation.

Petitioner's full name is [illegible] years; residence [illegible] post-office address [illegible] City [illegible] County of [illegible] State of [illegible] occupation that of a [illegible]

Attesting witnesses

[illegible] SEAL

[illegible] SEAL

STATE OF [illegible]

[illegible] SEAL

Attesting witnesses.

SEAL

SEAL

[illegible] day of [illegible] and I do certify that [illegible] to me known to be the [illegible] and know that [illegible] Cherokee Indian [illegible] Cherokee Nation [illegible] Witness my hand and seal of office this [illegible] day of [illegible]

STATE OF NORTH CAROLINA, }
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county do certify that [illegible] Esq., whose name is signed to the foregoing certificate was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August 1896.

[illegible]
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one, Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterward married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margary Hash, the grandaughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAWES.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Dawes and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. Ellsick, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. }ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east; that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the reputation of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled on the Cherokee enrollment of about that date, and again in the Walker enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been a Cherokee Indian who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL.]

Subscribed and sworn before me, this, the 2nd day of Sept., 1896.

W. A. Leonard Notary Public

My commission expires March 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

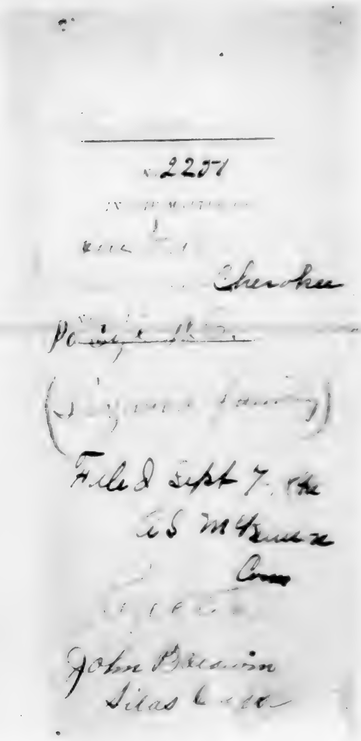
Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared G. G. Lewis, who after being by me duly ~~sworn~~ Kingston
~~affirmed~~ states that he is 44 years of age, and a resident of ~~[redacted]~~ County, ~~Arkansas~~ Virginia and State of ~~North Carolina~~, whose postoffice address is Inglind, in said County and that he is personally acquainted with Alie Smitten, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Alie Smitten is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

G. G. Lewis

~~Affirmed~~ Subscribed and ~~sworn~~ to before me this 3 day of September, A. D., 1896.

W. H. Dibbits, Notary Public.

My Commission expires, March 7, 1900.


2257

Cherokee

Filed Sept 7, 1886

U.S. Marshal

John Brannon

Silas Cate

AFFIDAVIT OF WITNESS.

STATE OF ...NC...
COUNTY OF ...Ashe... } ss.

Before me, the undersigned, a ...notary... ... In and for the County and State aforesaid, personally appeared ...Wesley ... ... who after being by me duly sworn, states that he is ...6... years of age, and a citizen of ...Ashe... County, and State of ...NC... and that he is personally acquainted with ...Alice Miller... who is an applicant for citizenship in the ...Cherokee... Nation, I. T., and affiant further states that the said ...Alice... is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said ...Alice Miller... is a daughter of Stephen Hart who was a son of John Hart who was a son of Catherine Hart who was a daughter of Nancy Digsmore a full blood Cherokee Indian

Affiant further states that he has known the said ...Alice Hart... for the past ...35... years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood, and that the complexion, physical appearance, language and manners of the said ...Alice Miller... indicate that the said ...Alice... is of Indian blood. That from the above facts and circumstances and from statements made to ...me... by the said ...Alice Miller... affiant states he has every reason to believe and does believe that the said ...Alice Miller... is of ...one-eighth... Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said ...Alice Miller... to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said ...Alice Miller...

Attest,

...

Subscribed and sworn to before me, this ...7... day of ...Aug... A. D. 1896 and I further certify that I am well acquainted with the said ...Wesley... and know ...him... to be a person of credibility and of truth and veracity.

...

My commission expires on the ... day of ... 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...J. M. Hart..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ...19... day of ...August... 1896.

...
Clerk Superior Court

Nation's No.

Commissioner's No.

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. M[illegible] ... Cherokee Nation, comes now and demurs the said application, and ... ground ...

1st. That this Commission ... with jurisdiction of the subject matter of this controversy, and has no legal right ...

2nd. That the ... fails to show that the applicant ... entitled to citizenship ...

Respondent ... same for answer to said application, says that ...

... citizenship ... derives ... right ... of the Cherokee Nation, since the ... Nation ... located and defined; that his name ... Nation, ... nor any of his ancestors now ... Nation ... thereof.

... Cherokee Nation.

S. H. MAYES, Principal Chief Cherokee Nation.

... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing ... are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this ... day of ... 1896.

NOTARY PUBLIC

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therein to hear and determine the same.

2nd. That the petitioner has not stated facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authentic rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, on this the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS FRANKS & BENNETT and WM. T HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, a [illegible] contained a true copy of the application of Wesley Lewis, Jr. for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Sarah Lewis, Wesley Price, Wm Price, Wm A. Lewis, J. S. Lewis, Wesley

in support of same, the original of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind Ter. That affiant was the witness in the matter.

J. N. Baldwin

Subscribed and sworn to before me this 7th day of September, 1896.

W. A. Dobbs Notary Public

My Commission Expires [illegible]

Uncle, Lexington

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP

To [illegible]

Your petitioner [illegible]

[illegible]

Attesting witnesses,

[illegible]

Seal.

Seal.

Subscribed and sworn to before me a [illegible] this [illegible] day of [illegible]

[illegible]

STATE OF NORTH CAROLINA, }
Ashe County. }

I, Poindexter Blevins, Clerk of the Superior Court of said County, do hereby certify that [illegible] Esq., whose name is subscribed to the foregoing certificate, was at the time of so doing, Justice of the Peace in and for said county and State aforesaid, duly commissioned and sworn, and that his official acts are entitled to full faith and credit; and that the signature thereto is genuine. Witness my hand and seal of said Court, this [illegible] day of [illegible]

[illegible]

Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Haeh, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HAEH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe } ss.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On the 19th, day of August, A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the state aforesaid, Alfred Price, aged 78 years, whose post office address is Crumpler, Ashe county, N. C., and state that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and associates; the said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who married Katie or Liddia Sizemore, who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have descended the present claimants; that Catharine was the name of one daughter of said Ned Sizemore, who married one James Hart and who had several sons and daughters, Margery, who married Robert Bash, George [illegible] the [illegible] Mountain Peak, and Cornelia Peak and Grubb Peak; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

his
[Signed] ALFRED × PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm. A. Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

[illegible] Notary Public.

My commission expires [illegible]

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible], who after being by me duly sworn states that he is [illegible] years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is [illegible], in said County and that he is personally acquainted with [illegible], who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in h[illegible] application for citizenship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that he is and has been recognized and treated by h[illegible] neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

[illegible]

Subscribed and sworn to before me, this [illegible] day of September, A. D., 1896.

[illegible], Notary Public.

My Commission expires, March 7, 1900

Affidavit of Witness

State of North Carolina

County of Ashe }ss

acquaintance
physical appearance

ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
..... Esq., whose name is signed to the foregoing certificate, was at the time of so signing
Justice of the Peace in and for said county and State, duly commissioned and sworn. That as such officer
are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and
Said County, this 17th day of December, 1896.

Clerk Superior Court

No 2242

Uriah Princeton
claimant
vs
Henry Anderson
Testimony
Pet. Stories, Ft U.

(Depositions)

Filed Sept 7-1842
U.S. Circuit Court
Ohio

John Baldwin
Witness

No 2242

Ursula Pennington
claimant
Vs heirs Indian
Testimony
Pc. Invalid, 1 ll

(Widow Pension)

Field Sept 7-1842
U.S. Mckenney
Comm

Peter Baldwin
Witness

End

Nation's No.
Commission's No.
In re Application of:

Demurrer and Answer.

Before the Commissioners, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. P. Montgomery, Commissioners.

In the matter of the application of

for

Nation's No.

Commission's No.

To the Commissioners to the Five Civilized Tribes:

Now comes [illegible], Principal Chief of the Cherokee Nation, and demurs to the application herein, and for grounds of demurrer says:

1st. That the Commission has not jurisdiction over the parties or subject matter of this controversy, and is without power to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant

[illegible]

Wherefore, the premises considered, he prays judgment and insists upon the same for answer to said application herein.

[illegible] among whom the petitioner claims to derive right [illegible] never, and has not been a citizen of the Cherokee Nation, since [illegible] Indian Territory as at present located and defined; that his name [illegible] Cherokee Nation; that neither he nor any of his ancestors now [illegible] Nation, or any Indian Territory as citizens thereof.

[illegible] and respectfully asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John L. Lowrey, Secretary Cherokee Nation, having been first duly sworn, states that the [illegible] contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the [illegible] September, 1886, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. P. ST. CLAIR, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] to Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now [illegible] DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

J. N. Baldwin

Subscribed and sworn to before me this the [illegible] day of September, 1886.

[illegible]

[illegible]

STATE OF NORTH CAROLINA
WAKE COUNTY.

I, POINDEXTER BLEVINS, Clerk Superior Court of said County, do hereby certify that Miller, Esq., whose name is subscribed to the foregoing certificate, was at the time of so doing a Justice of the Peace duly commissioned and sworn, that all his official acts as such are entitled to full faith and credit, and that he is duly authorized to take the same. In witness, my hand and seal of said Court, this 24 day of August 1864.

P. D. Blevins
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, **Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C.,** and states that **some sixty years ago he** personally knew one Ned Sizemore **who then lived in Ashe county,** North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and recognized by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydilia Sizemore who married James Blevins and who was the mother of James, Eli, George, Nelson Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grabb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Merrit Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydilia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydilia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON. [Signed] his WILLIAM x PRICE. mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cheroke Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wallord enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Dobbs, Notary Public.

My commission expires March 7th 1900

No 2249 3:27

— 1 —

Claimant

Caroline Bujar

& Children of

Thomas Nelson & J

Po. Grass, Va

(Seminole Family)

Adv. Sept 1. 1848

Com:

John Billsworth

Lees Creek

N C

No 2229

End

Nation's No. 27.

Commission's No.

In re Application of

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application for [illegible]

Nation's No. 6[illegible]

Commission's No.

[illegible] Nation.

Comes now S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the [illegible] to the jurisdiction of the Commission [illegible] subject matter of this controversy, [illegible] and determine the same.

[illegible] sufficient [illegible] show that the applicant [illegible] entitled to [illegible]

Respondent not waiving his demurrer, but insisting upon the same for answer to said application, [illegible]

through whom the petitioner [illegible] claim to derive [illegible] right [illegible] Nation, is not now, and has not been a citizen of the Cherokee Nation, since the [illegible] to the Indian Territory, [illegible] and [illegible]; that his name was not [illegible] Nation; that neither he nor any of his ancestors [illegible] Cherokee Nation and Indian Territory as citizens thereof.

Having thus answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible], 1896.

NOTARY PUBLIC.

11

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Harvey Hart for Citizenship in the Cherokee Nation, Ind. Ter., and of the affidavits of Alfred Price, Wm Price, Sand Louis, Wm A Lewis [illegible] in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this the 7 day of September, 1896.

W. A. Dibbells Notary Public

My Commission Expires March 4 1900

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that .....
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 1st day of ..... 1806.

..... Clerk Superior Court

POOR ORIGINAL
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Rash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. RAGE, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss.

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 56 years, whose post office address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Will Blevins from whom have spring a number of the present claimants, that Catharine was the name of another of said Ned Sizemore's daughters who married James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who went to Indian Ter., Mary — Peak and Caroline Peak and Caroline Hart, and Ned Sizemore are the only children of said daughters and said Catharine Hart was the mother of Catharine Hart who was the mother of Nancy Caldwell and William D. Hart. Also said Catharine Hart was the mother also of Ned Hart, above mentioned.

Affiant states these facts from personal knowledge and observation. Given this Aug 19th 1896.

his
Witness: ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896 and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this date and date first above written.

[Signed] L. HURLEY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him, and never went back to where said tribe was located after affiant first knew him, but usually made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C., and said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom was Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., all of whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had the appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof, and he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 12th day of August, A. D. 1896.

Attest: Signs his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 12th day of August, A. D. 1896, and I hereby certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this date and the date above written.

[Signed] W. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Tahlequah, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, or agreeing with the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Sizemore had a son by name of Owen and also another son whose name was George. Affiant further states that said Ned Sizemore [illegible] on the migration of the Cherokees to the Indian Territory, coming [illegible] in North Carolina and from the [illegible] that said Ned Sizemore afterwards settled [illegible] County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially [illegible] the Sizemore and Hart families, and was [illegible] and as playmates and associates.

Given under my hand and seal this the day and year first above written.

William A. Lewis

Subscribed and sworn to before me this, the 2nd day of Sept. 1896.

[illegible] Notary Public.

My commission expires [illegible]

Affidavit of Witness.

INDIAN TERRITORY, }ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly sworn states that he is 44 years of age, and a resident of Washington County, and State of ~~North Carolina~~ Arkansas, whose postoffice address is Medicine, in said County, and that he is personally acquainted with Harvey Clark, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Harvey Clark is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. G. Lewis

Subscribed and ~~sworn~~ to before me this 7th day of September, A. D., 1906.

M. A. Lewis, Notary Public.

My Commission expires, March 7, 1909.

FOOR ORIGINAL -
BEST AVAILABLE COPY

No. 2224

IN THE MATTER OF

Claim to Citizenship in

Nation of

Po Creek, NC

(Driggers family)

Filed Sept 7-1909

A S McKinnon

Agent

John Marcum

Deas Creek

NC

AFFIDAVIT OF WITNESS.

State of N.C. }
County of Ashe }

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Wesley Blevins who after being by me duly sworn states that he is 69 years of age, and a citizen of Ashe County, and State of N.C. and that he is personally acquainted with Harvy Clark who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Harvy Clark is the identical person he represents himself to be in his application for citizenship to said Nation, and that the said Harvy Clark is a son of Armstrong Clark who was a son Elisabeth Blevins who was a Daughter Lydia Blevins who was A Daughter of owen Sizemore Who was A son of Red Sizemore A full Blood Cherokee Indian

affiant further states that he has known the said Harvy Clark for the past 25 years [illegible] and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion, physical appearance, language and manners of the said Harvy Clark indicate that the said Harvy Clark is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Harvy Clark affiant states he has every reason to believe, and does believe that the said Harvy Clark is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Harvy Clark to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Harvy Clark.

Wesley Blevins

Subscribed and sworn to before me this 1 day of [illegible] A. D. 1896, and I further certify that I am well acquainted with the said [illegible] and know h to be a person of credibility and of truth and veracity.

Wm Miller N.P.

My commission expires on the day of 189

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 1st day of [illegible] 1896.

[illegible]
Clerk Superior Court

End

Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.

20

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B Montgomery, Commissioners.

[illegible] Nation's No. [illegible],

Commission's No.

[illegible] Nation.

Y[illegible], S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the [illegible] and for grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, [illegible] and determine the same.

2nd. That [illegible] has not stated facts sufficient, if true, to show that the applicant [illegible]

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said applicant, says that:

[illegible] through whom the petitioner claims to derive [illegible] right [illegible] in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the formation of said Nation, or of the Indian Territory, as at present located and defined; that his name [illegible] upon the [illegible] dated [illegible] of said Nation; that neither he nor any of his ancestors now [illegible] Cherokee Nation and Indian Territory, as citizens thereof.

[illegible] respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible], Attorneys.

[illegible], being first duly sworn, states that he is [illegible] Secretary, Cherokee Nation, having been first duly sworn, states that the [illegible] foregoing answer are true, to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

[illegible]

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, [illegible] on oath state that on the Fourth day September, 1896, I, in person, delivered to said [illegible] FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, [illegible] package which contained a true copy of the application of Mary E. Caudill for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm. Price, Saml. Downing, Wm. A. Lewis, J. M. Baldwin, Jefferson Lewis.

In support of same to be filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. The affiant says he is interested in this matter adversely.

J. M. Baldwin

Subscribed and sworn to before me this 7 day of September, 1896.

W. H. Dobbs Notary Public

My Commission Expires [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To the Dawes Commission

Mary E Caldwell respectfully and respectfully represents that She is one Eighth ... Cherokee by blood descending the same from her original ancestor, the late ... Said Town ... Cherokee Indian Road Osborn who was a Son Minnie Osborn who was a Son of Lattie Osborn who was a Cherokee by Nativity and a full Blood Cherokee Indian

... submits the following statement of facts as grounds for ... Cherokee Nation and asks for full and complete ... as herein stated, that She be allowed ... Nation.

... Mary Caroline Caldwell ... age 25 ... race ... postoffice address White Oak ... occupation that of ... Dress ... I am married and have one child to wit ... Both ... age ... years.

... Witness ... [SEAL.]

State of North Carolina
County of Pasquotank

... Mary E Caldwell ... the petitioner in the above ... Secretary U. S. A., who after being ... the foregoing petition and the facts therein above are true as stated therein ... day of ... 1896.

Attesting witnesses. [SEAL.

SEAL.

SEAL.

... sworn to before me ... Justice of the Peace ... as aforesaid, on this ... day of ... and I am not connected with ... for faith and credit before any ... State of N C ... that I have no interest directly or indirectly in the ... said claim for Cherokee Indian ... and am not related to her by blood or marriage.

STATE OF NORTH CAROLINA
ASHE COUNTY

I, POINDEXTER HAWKINS, Clerk of the Superior Court of said county, do hereby certify that ... was at the time of so doing a Justice of the Peace duly ... commissioned and sworn; that all his official acts are entitled to full faith and ... Witness my hand and seal of said Court, this 1st day of August 1896.

P Hawkins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of Mary E. Caldwell

AFFIDAVIT OF Claimant

STATE OF North Carolina
COUNTY OF Robeson

On this 3 day of Aug A. D. 1888 before me, [illegible] a Justice of the Peace in and for said County and State aforesaid, duly appointed and qualified, personally appeared Mary E. Caldwell aged 28 years, a resident of Graysons Co. and State aforesaid, who being duly sworn according to law, doth depose and say that he is personally acquainted with White Oak Hood Chrokee Indian and knows him to be a Indian Blood from his ancestor the said Hood Chrokee Indian

Sycamore

Sycamore Family

Chrokee

Chrokee

Chrokee

White

Eight

Affiant further says the above statements are true to the best of his knowledge and belief.

Mary E. Caldwell

Sworn to and subscribed before me this 3 day of Aug A. D. 1888

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances: that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee [illegible] ads his home on [illegible] the waters of Cranberry Creek, in Ashe county, N. C.; that Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died: that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian: that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Citizenship of the descendants of Ned Sizemore to Citizenship in the Cherokee Nation.

INDIAN TERRITORY
Cherokee Nation.

On this, the 2nd day of September A. D. 1896, personally appeared before me the undersigned Notary Public, within and for the Northern District of said Territory, William A. Lowrey, of seventy nine years of age, whose post office address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he was a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east; that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east: that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina and he knows that said Sizemore was enrolled in the Cherokee [illegible] under the [illegible] and again at the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes was a half-breed Cherokee and who married Susanna, the daughter of said Ned Sizemore, and affiant has sometimes met said Ned Sizemore and a son by name [illegible] and at another time another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and that [illegible] the migration he believes that said Ned Sizemore afterwards settled [illegible] and died in Ashe County, North Carolina.

Affiant states that he [illegible] the said Ned Sizemore. Affiant states that he was born and raised a near neighbor to the Sizemore and Hart families, was [illegible] with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

W. A. Lowrey [SEAL]

Subscribed and sworn to before me this the 2nd day of Sept. 1896.

[illegible] Notary Public.

My commission expires [illegible]

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss

Before me, the under-signed Notary Public in and for the Northern District of the Indian Territory, personally appeared J. A. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Byrd, in said County, and that he is personally acquainted with Emily E. Caldwell who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Emily E. Caldwell is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood, and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. A. Baldwin

Subscribed and sworn to before me, this 3 day of September, A. D., 1900.

W. H. Liebeck, Notary Public

My Commission expires, March 7, 1900.

Andrew J. Fulkerson
Claimant
to
Citizenship
Cherokee Nation

No. 6611

Filed Sept 7-1896
A S McKennon
Clerk

John Bledsoe
Siloam Springs
Ark

State of N.C.
Ashe County

Deposition of Witness
Before Wm Hart

Personally appeared Stephen Hart who make oath and who States on oath that he is [illegible] years of age and a Citizen of Ashe County N.C. that he is personally acquainted with Mary E Caldwell who is an applicant for citizenship in the Cherokee Nation. E. T. And that he know from his own personal knowledge that she is the identical person she represents her self to be that the said Mary E Caldwell is a daughter of Noah Osborn who was a son of John Osborn Whos Mother was a daughter of Ned Sizemore who was a full Blood Cherokee Indian affiant further States on oath that he was [illegible] the said Mary E Caldwell for the last [illegible] years and that during that time she was intimally acquainted with her and knows that she was known Recognized and treated by her neighbors and the Public Generly as a person of Cherokee indian Blood that the said Ned Sizemore emigrated from

the Cherokee Reservation in N C
and Settled in Ashe Co. N C, and that
his Complection physical appearance
Language and manners of the said
Mary E Caldwell indicates that She
is of indian Blood and that She is
So known Recognized and treated by
her Neibors and the Public Generly
and from this fact and Circumstances
and from Statements made by the said
Mary E Caldwell and her ancestors affiant
has ever Reason to belive and verily
doth belive from her own personal
knowledge of the information derivied
from the said Mary E Caldwell her
ancestors and others that the said
Mary E. Caldwell is of Cherokee indian
Blood affiant further States on oath
that he has no interest directly or in-
directly in prosecution of the Claim of
Said Mary E Caldwell to Citizenship in
the Cherokee Nation & T, and is not related
either by Blood or Marage to the Said Mary
E Caldwell and She derived her indian
blood from Red Sizemore and is of
indian and White decent

[illegible]

Subscribed and Sworn to Before this -- Day of
August [illegible] and I further certify that I am
well acquainted with the said Stephen [illegible]
and know him to Be a person of Credibility
and of Truth and Veracity

[illegible]

STATE OF NORTH CAROLINA, } ss
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible]
[illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 29 day of August, 1896.

[illegible]
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In re [illegible]

Nation's No.

Commission's No.

[illegible]

Y[illegible] the Cherokee Nation, comes now and demurs the [illegible] subject matter of this controversy, [illegible] such [illegible] to show that the applicant [illegible] to said application:

[illegible] claim to derive [illegible] right [illegible] of the Cherokee Nation, since [illegible] that [illegible] and [illegible]; that his name [illegible] Nation; that [illegible] or his ancestors now [illegible] thereon.

[illegible]

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys.

[illegible], being [illegible] sworn, states that the [illegible] to his knowledge and belief.

[illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation.

I, J. N. BALDWIN, on the 5th day September, 1896, I, in person, delivered to WM. HASKINS FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Alfred Price, Samuel Lewis, Wm [illegible]

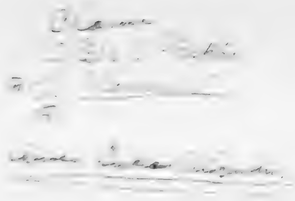
In support of said application I have this day met with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J N Baldwin

Subscribed and sworn to before me this 5th day of September, 1896.

W H Dobbins, Notary Public

My Commission Expires [illegible]



PETITION AND MEMORIAL.

FOR ADMISSION TO CHEROKEE CITIZENSHIP

To the [illegible]

[illegible] respectfully represents that he is [illegible] descending the same from his lineal ancestor, the [illegible] who [illegible] Phipps who [illegible] Dark [illegible] of [illegible] of James [illegible] Hart [illegible] [illegible] Cherokee Nation and asks for a full and [illegible] and he be cited and correct as herein stated, that he [illegible] said Nation.

[illegible] years [illegible] postoffice address Atlas Cook [illegible] occupation that of a farmer [illegible] Phipps [illegible]

Respectfully Submitted.

[illegible] (SEAL)

[illegible] to petition of the above [illegible] Nation and on Territory U. S. A., who after being duly sworn according to law states that the facts set forth in said petition above are true as stated [illegible]

[illegible] (SEAL)

[illegible] and on this [illegible] day of [illegible] personally acquainted with [illegible] person and entitled to full faith and credit before any of the Courts [illegible] and that I have no interest directly or indirectly in the prosecution [illegible] I am not related to him by blood or marriage.

[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY

I, [illegible] Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State, duly commissioned and sworn, that all his official acts entitled to full faith and credit and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Eli J. Parker

To Cherokee Indian Citizenship

AFFIDAVIT OF Claimant

North Carolina
Swain

On this the 14 day of July A. D. 1896 personally before me Clarina Davis a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Eli J. Parker aged 5 Years a resident of Swain and State of North Carolina whose postoffice is Deep Creek who after being duly sworn says that he is one sixteenth Indian by blood and claims rights as an Indian citizen. Affiant further says on oath that he knows his own age from his mother & the said Ved-no-ne Brown is a Cherokee Indian of the full blood & is no relation to Claimant

[illegible] Ingram [illegible] Indian whose name is [illegible] appointed by [illegible] Council of the Cherokee Tribe [illegible] that [illegible] Cherokee County, [illegible] of Cherokee [illegible] were [illegible] of the [illegible] Council Indians.

Affiant [illegible] that [illegible] and [illegible] that he [illegible] essentially a [illegible] Indian [illegible] and [illegible] as [illegible] recognized and treated by [illegible] neighbors as a [illegible] as a person of Cherokee Indian [illegible] and that from his complexion and physical [illegible] has every reason to believe and does believe that he is of Cherokee Indian blood [illegible] and Cherokee and at least one Sixteenth Indian by blood

Affiant further says that the statements are true to the best of his knowledge and belief

Eli J. Parker

Sworn and subscribed to before me, this [illegible] day of [illegible]
A. D. 189[illegible] and I further certify that the foregoing affidavit was read to affiant [illegible] by me before [illegible] That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe he is to be a credible person.

Clarina Davis J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally, appeared before the undersigned Justice of the Peace, in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose post office address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived on Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county N. C. that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances, and that said Sizemore died in Ashe county, N. C. and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, W. Greene, Wade Blevins from whom have descended a number of the present claimants, and Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Harrison Hart and Caroline Peak and Cordelia Hart; said Ned Sizemore also had other sons and daughters, and said Catharine Hart was the mother of Columbus Caldwell who was the mother of Nancy Caldwell and William D Baldwin, and said Catharine Hart was the mother also of [illegible] Hart, deceased.

Affiant states these facts from his own personal knowledge and observation. [illegible] this Aug. 19th 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C., that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died, that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous children daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

[Signed]
his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C., that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. Smith line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Bush, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.).

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

No

IN THE MATTER OF

[illegible]

Petition to Citizenship in [illegible]

Petition. [illegible]

AFFIDAVIT OF WITNESS

STATE OF .....
COUNTY OF ..... } ss.

BEFORE ME, the undersigned, a ~~Notary Public~~ in for the County and State [illegible] appeared [illegible] who after being by me duly sworn [illegible] is [illegible] years of age, and a citizen of [illegible] County and State [illegible] and that [illegible] personally acquainted with [illegible] cant for citizenship in the [illegible] Nation I [illegible] and also in the State of said [illegible] is the identical person [illegible] represented [illegible] to be in [illegible] application for citizenship in said Nation, and that the said [illegible]

[illegible]

Affiant further states that [illegible] has known the said [illegible] the past [illegible] years and knows that [illegible] is and has been [illegible] neighbors, acquaintances and the public generally, as a person of the [illegible] the complexion, physical appearance, manner and habits [illegible] and that the said [illegible] and [illegible] and from statements made to [illegible] fiant states that [illegible] is of [illegible] Indian blood

Affiant further states that [illegible] has no interest whatever [illegible] of the said [illegible] to citizenship in the [illegible] Nation, and that [illegible] not related by blood or marriage to the said [illegible]

[illegible]

Subscribed and sworn to before me this [illegible] day of [illegible]

and I further certify that I am well acquainted with the said [illegible] and know [illegible] to be a person of credit and truth and veracity

[illegible]

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate was at the [illegible] Justice of the Peace in and for said county and State, duly commissioned and sworn, that as such officer full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. }

On this the 2nd day of September, A. D., 1896, personally appeared before me the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, whose post-office address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he was born in Texas by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who emigrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, an Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian; that from the time of said Sizemore's and his acquaintance with him as aforesaid he knows him to have been a Cherokee Indian by blood and so far as himself; that he knew said Sizemore from about the year 1832 in North Carolina, and believes that said Sizemore was a Cherokee Indian [illegible] prior to that date and ever since the Year [illegible].

Affiant further states that he knew one James Hart [illegible] and Nancy Hart, who resided [illegible] whose names Catharine [illegible] and Nancy Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen [illegible] another son by name of Caswell. Affiant further states that Ned Sizemore [illegible] the rights of citizenship in the Cherokee Nation, Indian Territory, because [illegible] and [illegible] he has all [illegible] and Ned Sizemore, all of whom settled, [illegible] Asheville, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared [illegible] the Sizemore and Hart families, and was familiar with them, [illegible] and as playmates and associates.

Given under my hand and seal this the day and [illegible] written.

Wm. A. Lewis [Seal]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

[illegible] Notary Public.

My commission expires, [illegible]

No. 2282

IN THE MATTER OF

Eli [illegible]

Claim to Citizenship [illegible]

Nation Cherokee

B. Silas Cherokee N.C.

(Sizemore family)

Filed Sept 7-1906

[illegible] S McClennon

[illegible]

[illegible]

John Bird Davis

Silas N.C. Rte

AFFIDAVIT OF WITNESS.

State of North Carolina }
County of Ashe } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Eli J. Phipps who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Eli J. Phipps is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Eli J. Phipps is the son of Ruth Phipps, who was a daughter of Margery Hart, who was a daughter of Catharine Hart, who was a daughter of Red Dog more, who was a Cherokee Indian of the full blood; and is the father of the following named minor Cherokees; Mary L. Phipps and Walter Phipps

Affiant further states that he has known the said Eli J. Phipps for the past 50 years and knows that he is also well regarded and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood and that the complexion, physical appearance, language and manners of the said Eli J. Phipps indicate that the said Eli J. Phipps is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Eli J. Phipps affiant states he has every reason to believe, and does believe that the said Eli J. Phipps is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Eli J. Phipps to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Eli J. Phipps.

Samuel Davis

Subscribed and sworn to before me this 11 day of Dec A. D. 1896 and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity.

M. Blevins J. P.

My commission expires on the day of , 189 .

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of Dec 1896

Clerk Superior Court

End

Nation's No. 77

Commission's No.

In re Application of

[illegible]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of [illegible]

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, [illegible], of the Cherokee Nation, comes now and demurs the said application, and for the grounds [illegible]

1st. That this Commission [illegible] the parties or subject matter of this controversy, and no legal right [illegible] the same.

2nd. That the [illegible] to show that the applicant [illegible] entitled to citizenship.

Respondent [illegible] upon the same for answer to said application, says that

[illegible] through whom the petitioner claim to derive [illegible] right to citizenship in the Cherokee Nation, [illegible] that has not been a citizen of the Cherokee Nation, since the removal of said Nation [illegible] that [illegible] as it now is located and defined; that his name does not appear on any of the [illegible] Cherokee Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation [illegible] citizens thereof.

Having [illegible] dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, [illegible] Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the [illegible] day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and W.W. T. DUNLAP, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a [illegible] with a certified a true copy of the application of Calvin W. Phipps [illegible] a citizen of the Cherokee Nation, Ind. Ter.,

and of the affidavits of Daniel Lowrey, Wilfue Vann, Wm. P. [illegible], Wm. [illegible] Lowrey.

in support of same, the originals of which are now filed with the Commission DAWES COMMISSION, at Vinita, Ind. Ter. Their affidavit was [illegible] in the matter.

J. N. Baldwin

Subscribed, and sworn to before me this [illegible] day of September, 1896.

W. H. Dobbs Notary Public

My [illegible] expires [illegible]



PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Calvin W. Phipps, earnestly and respectfully represents that he is one thirty second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his father William W. Phipps, who is a son of Ruth Phipps, who was a daughter of Margery Hart, who was a daughter of Catharine Hart, who was a daughter of said Ned Sizemore, who was a Cherokee Indian by blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Calvin Wynford Phipps age thirty-four years residence Watauga Co., in the State of North Carolina, postoffice address Shulls Mills, County of Watauga, State of North Carolina, occupation that of a laborer.

Attesting witnesses.

M. E. Calloway [SEAL]

[SEAL]

Most Respectfully Submitted,

Calvin W. Phipps [SEAL]

STATE OF North Carolina }
COUNTY OF Watauga } ss.

Personally appeared before me, [illegible] a Justice of the Peace, and for said county in the State aforesaid, [illegible], the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the [illegible] day of [illegible] 1896

Attesting witnesses,

[SEAL]

M. E. Calloway SEAL.

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this [illegible] day of [illegible] 1896, and I do certify that I am personally acquainted with Calvin W. Phipps the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

[illegible] J. P.

NUMBER 375.—CERTIFICATE FOR CLERK—GENERAL FORM.—Printed and for sale at Hayes's Printing House, Wilmington, N. C. [illegible]

THE STATE OF NORTH CAROLINA, } **IN THE SUPERIOR COURT.**
Watauga COUNTY.

I, M B Blackburn, Clerk of the Superior Court, in and for the aforesaid State and County, do hereby certify that W. F. Bennett whose Genuine signature appears to the foregoing and annexed certificate is an acting justice of the peace and was at the time of signing the same and full faith and credit are due to his official acts as such justice of the peace as aforesaid

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and affixed the seal of said Court,

at office in Boone
this the [illegible] day of [illegible]
A. D. 1896

M B Blackburn
Clerk Superior Court. Watauga *County.*

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C.; and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Gruld Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 80 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but usualy made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married James Blevins and lived in Ashe county, N. C.; that said James and [illegible] had several sons and daughters from whom have descended [illegible] of the present claimants; that said Catharine Sizemore, a [illegible] of said Ned Sizemore married one James Hart, and had numerous children, whom were Catharine who married one [illegible] Caldwell, and Margery who married [illegible] Hash, and settled in Grayson Co., Va., near the Va., and N. C. [illegible] Post Office, who [illegible] Ashe county N. C., from whom have [illegible] a number of the present claimants. Affiant further states that said Sizemore had every appearance of being a full blood Indian; that he [illegible] as a member of the Cherokee tribe and was so recognized by [illegible] Cherokees and members thereof; that he was recognized and treated [illegible] neighbors and acquaintances in Ashe county, N. C., and [illegible] Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

[Signed] his
L. C. BARTON. WILLIAM x PRICE.
mark.

Subscribed and sworn to before me this 11th day of August, A. D. [illegible] I certify that I am well acquainted with the said William [illegible] know him to be a person of truth and credibility.

[illegible] and date first above written.

Signed] M. C. HASH, J. P.

[illegible] a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuinness of signature of Justice certified by [illegible] seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY,
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth, and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of 1835 and 1851, and again in the Watkins enrollment.

Affiant further states that he knew one James Hurt, whom he believes to have been connected and who married Athaline, the daughter of said Ned Sizemore, and affiant has remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and naturally reared a near neighbor to the Sizemore and Hurt families and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

[SEAL]

Subscribed and sworn before me this the 2nd day of Sept., 1896.

Notary Public.

My commission expires

No. 257

IN THE MATTER OF

[illegible]

[illegible]

Pa. [illegible], N. C.

(Copy of [illegible])

Filed Sept 7-1894
A. S. McKenzie
Comm

[illegible]

[illegible]
N. C.

AFFIDAVIT OF WITNESS.

State of North Carolina)
County of Ashe) ss.

Before me, the undersigned, a [illegible] in and for the County and State aforesaid, personally appeared Samuel Evans who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Corwin W. Phipps who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Corwin W. Phipps is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Corwin W. Phipps is a son of Elvira A. Phipps & he was born near Phipps, Ashe Co. N.C. & is a descendant of Margaret Evans who was a daughter of William Hart, & was a descendant of Red Bird Smith, & she was a full blood Indian of the pure blood

Affiant further states that he has known the said Corwin W. Phipps for the past [illegible] years that he is and has been recognized and treated by his neighbors and associates as a person having Cherokee Indian blood, and that the complexion, physical appearance and manners of the said Corwin W. Phipps indicate that the said Corwin W. Phipps is of said blood. That from the above facts and circumstances and from statements made by the said Corwin W. Phipps affiant states he has every reason to believe, and does believe, that the said Corwin W. Phipps is of the Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Corwin W. Phipps to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Corwin W. Phipps.

Subscribed and sworn to before me this 10 day of Feby A. D. 1896, and I further certify that I am well acquainted with the said Samuel Evans and know him to be a person of credibility and of truth and veracity.

[illegible]

My commission expires on the day of , 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 10 day of Feby 1896

[illegible]
Clerk Superior Court

End

Nation's No. 9,577.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
T. E. Phi[illegible], [illegible]

Nation's No. 997.
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for [illegible] grounds therefor says:

1st. That [illegible] has not jurisdiction of the parties or subject matter of this controversy, and [illegible] the same.

2nd. [illegible] and states [illegible] sufficient, in [illegible] to show that the applicants [illegible] entitled [illegible].

Respondent [illegible] said [illegible] as stands upon the same for answer to said application, says that [illegible]

[illegible] the petitioner's claim to derive their right [illegible] Nation is not a [illegible] and has not been a citizen of the Cherokee Nation, since [illegible] Indian Territory as at present located and defined; that his name [illegible] Nation; that neither he nor any of his ancestors now [illegible] Nation and Indian Territory, as it now is thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible], [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the [illegible] day of [illegible] 1896.

NOTARY PUBLIC

1

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation }ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of J. C. Phipps for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Alfred Pace, Wm Pace, Saml Davis, Wm R. Lewis J N Baldwin, Alfred Pace.

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J N Baldwin

Subscribed and sworn to before me this the 7th day of September, 1896.

W H Dobbs Notary Public

My Commission Expires March 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO the [illegible]

Your petitioner [illegible] respectfully represents that he [illegible] born [illegible] and [illegible] following the same from his lineal ancestor the late [illegible]

[illegible] of the full blood

Your petitioner [illegible] the above statement of facts as grounds for his application for [illegible] to the Cherokee Nation and asks for a full and complete investigation [illegible] and entered as hereinstated, that he may enjoy all the rights [illegible] Nation.

Petitioner [illegible] 23 years residing [illegible] Post Office address [illegible] occupation [illegible]

Attesting Witness

J A B

Submitted

J & S Hipps

STATE OF

COUNTY OF

Personally appeared before [illegible] petitioner in the above petition [illegible] Cherokee Nation, [illegible] who after being duly sworn according [illegible] said petitioner [illegible] therein this the [illegible]

Attesting witnesses.

[illegible] SEAL

[illegible]

Subscribed and sworn to before me [illegible] aforesaid, on this 3 day of [illegible] and I certify that I am personally acquainted with [illegible] the said petitioner and know [illegible] entitled to full faith and credit before any of the Courts of the State [illegible] have no interest directly or indirectly in the prosecution of [illegible] said petition for Cherokee Indian [illegible] and am not related to [illegible] by blood or marriage

[illegible]

STATE OF NORTH CAROLINA
Ashe County

I, Poindexter Blevins, Clerk of the Superior Court of said county do certify that [illegible] Esq. whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said County and State duly commissioned and sworn, that all his official acts are entitled to full faith and credit [illegible] Witness, my hand and seal of said Court, this 17 day of [illegible]

P. B. [illegible]
Clerk Superior Court



GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

[illegible]

STATE OF [illegible]
COUNTY OF [illegible]

[illegible]

and is a direct [illegible] lineal heir of the [illegible] family whose name he believes appears [illegible]

Affiant further says [illegible]

Affiant further says [illegible]

E & S Liff

Sworn to and subscribed before me this [illegible] day of [illegible] A. D. [illegible] and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known and has been satisfactorily identified before me and I hold it sufficient [illegible] to be a credible person.

[illegible]

FILE COPY
DO NOT REMOVE

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C, and states that some SIXTY years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen, who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Caleb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T

Official character and genuinness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C.,and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore,a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co.,Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BAGGOS. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibilty.

Given under my hand this day and date first above written.

[Signed] M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. Wm A Lewis [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. J. W. Dibrell, Notary Public.

My commission expires, March 5th 1900

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. R. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Jefferson, in said County, and that he is personally acquainted with E. D. Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said E. D. Phipps is the identical person he represents himself to be in h[is] application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by h[is] neighbors, acquaintances and the public generally as a person having Cherokee blood; and that [his] complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. R. Baldwin

Subscribed and sworn to before me this 3rd day of September, A. D., 1896.

M. A. Dibrell Notary Public.

My Commission expires, March 7, 1900.

No. 2227

IN THE MATTER OF

Claim to Citizenship in the Choctaw Nation.

Nation I. T.

Po Bud N.C.

(Sizemore family)

Filed Sept 7-1896

C S McKennon

Clerk

John Dillehay

Atoka

Ind T

AFFIDAVIT OF WITNESS.

State of [illegible])
County of [illegible]) ss

Before me, the undersigned, a [illegible] in and for the County and State aforesaid personally appeared [illegible] who after being by me duly sworn states that [illegible] years of age, and a citizen of [illegible] County, and State of [illegible] and that [illegible] is personally acquainted with [illegible] who is an applicant for citizenship in the [illegible] Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in his application for enrollment in said Nation, and that the said [illegible]

[illegible]

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the [illegible] Nation, I. T., and that he is not related by blood or marriage to the said [illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] A. D. 190[illegible]

My commission expires on the [illegible] day of [illegible] 190[illegible]

STATE OF NORTH CAROLINA,)
ASHE COUNTY.) ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate was at the time of the execution thereof a Justice of the Peace in and for said county and State, duly commissioned and sworn, that as such Justice of the Peace his acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this 17th day of August, 1901.

P. Blevins
Clerk Superior Court

End

Nation's No.

Commission's No.

Date Application rec'd

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Wm. P. Penning for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Joseph P. Penning, Wm. Penning, Sr. & Louisa, Wm. McDaniel & Lewis Bowles

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

J. N. Baldwin

Subscribed and sworn to before me this 4th day of September, 1896.

W. H. Lobaugh Notary Public

My Commission expires Dec. 7, 1899.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Dawes Comm

Your petitioner, Hart H Pennington, earnestly and respectfully represents that he is one thirty second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Ligmon through his father Gilmore Pennington who was a son of Hester Pennington she was a Daughter of Sythia Blevins who was a Daughter of Owen Ligmon who was a son of Ned Ligmon a full blood Cherokee Indian

Your petioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is William Hart Pennington age 38 years; color White; residence Longtha Ck in the State of N C postoffice address Longtha N C County of Compson State of N C occupation that of a Farmer

I am a married man and have four children to wit Rhoda C age 3 years Hart C age 5 years Jessey R age 4 years Charley B age 1 year

Attesting witnesses.

Most Respectfully Submitted.

[SEAL.]

Wm H Pennington [SEAL.]

[SEAL.]

STATE OF North Carolina }
COUNTY OF Polk }

Personally appeared before me, I M Hart a Justice of the Peace in and for said county in the State aforesaid Hart H Pennington the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein.

Sworn to and subscribed before me this the 7 day of Aug 1896

Attesting witnesses.

I M Hart J.P. [SEAL.]

SEAL.

SEAL.

Sworn to and sworn to before me, a Justice of the Peace as aforesaid, on this 7 day of Aug 1896, and I do certify that I am personally acquainted with Hart H Pennington the petitioner and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of N C and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

I M Hart J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that I M Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12th day of August 1896

P Blevins
Clerk Superior Court

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Thomas Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CÁROLINA, County of Ashe } ss.

Before me, the undersigned Justice of the Peace, &c. &c. for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Cherokee Nation several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lives in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Rash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full Blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I futher certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelic Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, County of Ashe. } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 75 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, B., George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Rash, George Hart who was the father of Margery Peak and Cornelic Peak and Grubb Hart; that Ned Sizemore, second, other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the married name of Ned Sizemore's daughter James Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given under my hand, this 19th, A.D.

his
Signed ALFRED x PRICE.
mark.

Sworn to and subscribed before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelic Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

[illegible] Ned Sizemore to [illegible]

INDIAN TERRITORY
Cherokee Nation.

On this [illegible] day of [illegible] 1896, personally appeared before me, the undersigned [illegible] within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-six years, whose postoffice address is Tahlequah, Cherokee Nation, I. T., who being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east; that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822 in North Carolina, and has been informed that said Sizemore was enrolled [illegible] and has resided in the Indian Territory since that date, and again in the Western [illegible]

Affiant further states that he knew the [illegible] Hare, whom he believes was a [illegible] and who he met [illegible], the daughter of said Ned Sizemore, and affiant has [illegible] that said Ned Sizemore had a son by name of [illegible], and he [illegible] another son by name of [illegible]. Affiant [illegible] that said Ned Sizemore and his family, [illegible] Indian Territory, remained [illegible] Indian Territory, and affiant believes [illegible] Ashe County, North Carolina.

Affiant states these facts are within his own personal knowledge. Affiant states that he was [illegible] a near neighbor to said Sizemore [illegible] and was familiar with them, in school and as [illegible] the association.

I have read the facts as set out in the [illegible] and find the first above written. [SEAL]

Subscribed and sworn to before me this the 2nd day of Sept., 1896.

[illegible], Notary Public.

My commission expires [illegible]

Affidavit of Witness.

INDIAN TERRITORY
Cherokee Nation.

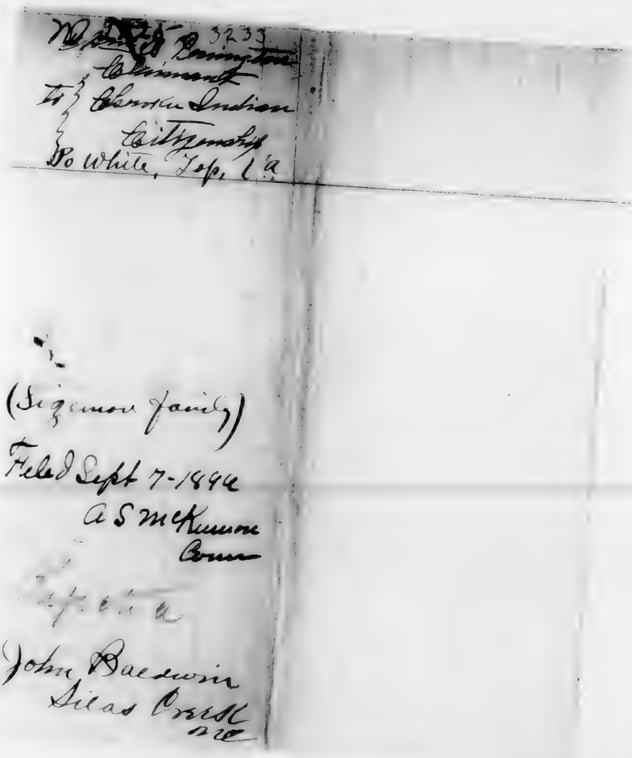
Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared [illegible], who after being by me duly sworn states that he is [illegible] years of age, and a resident of [illegible] County, and State of North Carolina, whose postoffice address is [illegible], in said County, and that he is personally acquainted with [illegible], who is an applicant for citizenship in the Cherokee Nation. That affiant further states that the said [illegible] is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past [illegible] years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee descent. That from these facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is a Cherokee Indian by blood.

[illegible]

Subscribed and sworn to before me this [illegible] day of September, A. D., 1896.

[illegible], Notary Public.

My Commission expires, March [illegible] 1900.


3233
Claimant
Cherokee Indian
Citizenship
No White Test. Ala

(Sequoyah Davis)

Filed Sept 7-1844
A S McKinney
Comm

John Baldwin
Silas Dodd

Affidavit of Witness

State of North Carolina
County of Duke

Before me H. A. Blevins a Justice of the Peace in and for the County and State aforesaid personally appeared E. A. Blevins who states on oath that he is of lawful age and a resident of Duke Co. N.C. that he is personally acquainted with William H. Pennington who is an applicant for Citizenship in the Cherokee Nation and that he knows from his own personal knowledge that the said Wm H Pennington is the real person who represents himself to be that the said Wm H Pennington is a son of Delaware Pennington who was a son of Hester Pennington who was a daughter of Cephas Blevins who was a Cherokee of Owen Pennington who was a son of Ned Pennington a full blood Cherokee Indian affiant further states on oath that he has known the said William H Pennington for the last 30 years and that during that time he was personally acquainted with the said William H Pennington and of my personal knowledge he was known recognized and treated by his relatives and kindred as a member of the Cherokee Indian Blood that the said said Pennington is descended from the

Cherokee reservation in North Carolina
to wit County &c That the complexion
physical appearance language and
manners of the said William H Pennington
indicate that he is of Cherokee Indian
blood and from those facts and
circumstances and from statements
made to the said W H Pennington affiant
has every reason to believe and does
believe that the said William H Pennington
is of Cherokee Indian blood affiant further
states that he has no interest directly
or indirectly in the prosecution of the
claim of the said W H Pennington to
citizenship in said nation, that he is
not related to the said Pennington by
blood or marriage, that he is of Cherokee
and white descent Elisha [illegible] Blevins
mark

sworn to and subscribed before me
this 25 day of Oct 1888 and I further
certify that I am well acquainted with
the said Elisha Blevins and know him
to be a person of truth and credibility
and that I am not interested in the
prosecution of the claim of said Pennington
W. H. Blevins J. P.

STATE OF NORTH CAROLINA,
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27 day of [illegible] 1896.

[illegible]
Clerk Superior Court

End

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

21

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, [illegible], on oath state that on the Fourth day September, 1896, I, in person, delivered to WM. and DAVE RAGSDALE and POLIDNOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible], Samuel Harris, Allen [illegible]

in support of same. At the time I served the said with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. The affiant has no interest in this matter.

[illegible]

Subscribed and sworn to before me this [illegible] day of September, 1896.

[illegible] Notary Public

My Commission expires [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To

Your petitioner [illegible] respectfully and respectfully represents that he is [illegible] Cherokee Indian by blood, deriving the same from his [illegible] and that [illegible] marriage.

Your petitioner [illegible] to determine from the above statement of facts as grounds for his [illegible] and asks for full and complete [illegible] as hereon stated that he be allowed [illegible] Nation.

[illegible] age [illegible] years [illegible] in the State [illegible] postoffice address [illegible] State [illegible] occupation that of [illegible]

Most Respectfully Submitted.

[illegible] [SEAL.]

SEAL.

SEAL.

SEAL.

[illegible] [SEAL.]

SEAL.

SEAL.

[illegible] as aforesaid on this 14 day of [illegible] and I hereby certify that I am personally acquainted with [illegible] and that [illegible] a credible person, and entitled to full faith and credit before any [illegible] and that I have no interest directly or indirectly in the [illegible] and am not related to [illegible] by blood or marriage.

STATE OF NORTH CAROLINA, [illegible]
[illegible] COUNTY

I, [illegible], Clerk of the Superior Court of said county, do certify that [illegible] whose name is signed to the foregoing certificate, was at the time of so doing [illegible] and for said county and State, duly commissioned and sworn, that all his official acts are entitled [illegible] and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court



GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

[illegible] To Cherokee Indian Citizenship.

AFFIDAVIT OF [illegible]

STATE OF [illegible] }
COUNTY OF [illegible] } ss

On this, the 14 day of [illegible], A. D. 189[illegible], personally before me [illegible], a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared [illegible] aged [illegible] years, a resident of [illegible] county, and State of [illegible] whose postoffice is [illegible] who after being duly sworn according to law, says that he is [illegible] Indian by [illegible] and a claimant for [illegible] Indian citizenship. Affiant further says on oath [illegible]

and is a direct lineal descendant of the [illegible] family, whose name he believes appears upon the census rolls that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said [illegible] to be of Cherokee Indian blood, and were members of the [illegible] tribe of Indians.

Affiant further says he has been taught and has learned from his earliest youth that he is a descendant of a [illegible] Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of [illegible] Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of [illegible] Indian blood and is an admixture of [illegible] and Cherokee and at least one [illegible] Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

[illegible]

Subscribed and sworn to before me, this 14 day of [illegible] A. D. 189[illegible], and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe he is to be a credible person.

[illegible]

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Nash and settled in Grayson county, Va., near the N.

POOR ORIGINAL
BEST AVAILABLE COPY

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said [illegible] and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe,) ss:

On this 19th. day of August A. D. 1896, personally appeared before the undersigned, Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of full blood, and who had come several years prior to that time from the Cherokee reservation and had settled in Ashe county, N. C. and that said Ned Sizemore had the appearance of being a full blood Indian, and was so recognized and regarded by his neighbors and acquaintances in Ashe County, N. C. and that said Ned Sizemore had a family of sons and daughters, to-wit Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wm. Blevins from whom have descended a number of the present claimants; that Catharine was the wife of Ned Sizemore and the mother of the present claimants; that Catharine was a daughter of one Ned Sizemore who married one James Hart and who had one daughter, Margery who married Robert Hash, George Hash whose wife was Polly Hash, Mary Hash who married Robert Hash, Peggy Hash who married Coon Jo Peak and Grabb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Nancy Calvert and William D. Hart and Catharine Hart was a full blood Cherokee Indian; that said Ned Sizemore was a full blood Cherokee Indian and was recognized as such by the Cherokee tribe and by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
(Signed) ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this date and date first above written.

Signed, L. HURLEY, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Lydia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,)
County of Ashe) ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice is Crumpler, N. C., who after being duly sworn states on oath that he was born and raised in Ashe county, N. C. and there some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and knew he was at that time on the waters of Cranberry Creek, in Ashe county, N. C. and said Sizemore had come from the home of the Cherokees who is in Western N. C., or Ga., some several years prior to the time affiant says above, that he often went back to where said Indian was located after affiant first knew him but finally made his home in Ashe county, N. C. where he died and is buried; that said Sizemore had a number of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins and lived in Ashe county, N. C., that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Hardin and Margery who married Robert Hash, and another to wit one Co., Va., near the Va. and N. C. State line, Ned Hart who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest, direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this the 19th day of August, A. D. 1896.

his
Attest: Signed WILLIAM x PRICE.
mark.

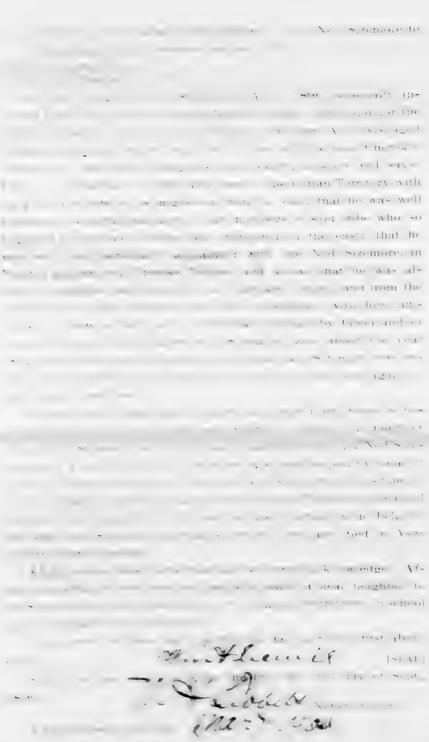
Subscribed and sworn to before me this 19th day of August, A. D. 1896, and I certify that the contents of the above affidavit were fully made known to affiant before signing and swearing, and that said William Price is a person of truth and credibility.

Given under my hand this date and date first above written.

M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Lydia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of county court under seal of court.



Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Gibson, who after being by me duly sworn states that he is 30 years of age and a resident of Kelly County and State of North Carolina, whose postoffice address is Bent, N. C. that said County and that he is personally acquainted with Jesse L. Blevins, who is an applicant for citizenship in the Cherokee Nation, and that the said Jesse L. Blevins is the identical person to whom reference is made and is in his application for citizenship in said Nation, and that to his knowledge the said applicant for the past 20 years and knows that he is and has been recognized and treated by his 20 neighbors, acquaintances and the public generally as a person having Cherokee blood and that the complexion, physical appearance, language and manner of the said applicant indicate that he is of Cherokee blood. That from above mentioned circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. H. Gibson

Subscribed and sworn to before me, this 21st day of September, 1900.

W. E. Doherty Notary Public.

My Commission expires, March 7, 1904

~~#2133~~

Rejected

No.

IN THE MATTER OF

Claim to Citizenship in

Nation, I. T.

Po Doe Creek N.P.

(Enumeration)

Filed Sept 29 1896

R. McKennon

Com'r

John Erickson

Files Clerk

DLC

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe } ss.

Before me, the undersigned, a [illegible] in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 84 years of age, and a citizen of [illegible] County, and State of [illegible] and that he is personally acquainted with [illegible], who is an applicant for citizenship in the [illegible] Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said [illegible] is a [illegible] who was a son of [illegible]

Affiant further states that he is known the said [illegible] for the past [illegible] years and knows that he has been recognized and treated by his neighbors, acquaintances and the public as a person having [illegible] Indian blood, and that the complexion, physical appearance [illegible] members of the said [illegible] indicate that the said [illegible] has [illegible] Indian blood. That from the above facts and circumstances and from statements made to him by the said [illegible] affiant states he has every reason to believe and does believe that the said [illegible] is of [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] to citizenship in the [illegible] Nation, I. T., and that he is not related by blood or marriage to the said [illegible].

Witness: J. H. Barker

William his X Price mark

Subscribed and sworn to before me this 11 day of [illegible] A. D. 189[illegible], and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

W. C. Heath [illegible]

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible], Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896.

[illegible]
Clerk Superior Court

End

Nation's No. 1803

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of the application of
[illegible]

Nation's No. [illegible]

Commission's No. [illegible]

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for [illegible]

1st. That there is [illegible] or subject matter of this controversy, and no legal right [illegible]

2nd. That [illegible] to show that the applicant [illegible] entitled to [illegible]

Respondent [illegible] answer to said application, says that [illegible]

[illegible] claim to derive [illegible] right to citizenship [illegible] has not been a citizen of the Cherokee Nation, since the removal [illegible] and that his name does not appear [illegible] that he nor any of his ancestors now reside, or [illegible] citizens. [illegible]

Having filed answer, [illegible] asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[illegible] Attorneys

John L. Adair, [illegible] Nation, having been first duly sworn, states that the matters contained in the foregoing [illegible] to the best of his knowledge and belief.

[illegible]

Subscribed and sworn [illegible] day of [illegible] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day Septem'ber, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of [illegible] for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of [illegible]

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

J. N. Baldwin

Sworn to and subscribed before me this [illegible] day of September, 1896.

[illegible] Notary Public

My Commission Exp. [illegible]

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner ..... earnestly and respectfully represents that he is ..... Cherokee Indian by blood, deriving the same from ..... through .....

Your petitioner, therefore, appeals to your honorable body for favorable action in the premises of his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation, and upon investigation of his claim and of the same is found to be true and correct, he may be entitled to all the rights, privileges and immunities of the citizens of said Nation.

Petitioner's full name is ..... and ..... residence ..... in the State of ..... and ..... County of ..... State of ..... overnment that I ..... and ..... Cherokee Indian citizenship in the Cherokee Nation ..... that I ..... and ..... this the ..... day of ..... 189.

Attesting witnesses, ... [SEAL.]

..... [SEAL.]

STATE OF .....
COUNTY OF .....

Personally appeared before me ..... a ..... county in the State aforesaid ..... and ..... Cherokee Indian citizenship in the Cherokee Nation ..... that ..... and ..... this the ..... day of ..... 189.

Attesting witnesses, ... SEAL.

..... SEAL.

..... SEAL.

Subscribed and sworn to before me, a ..... day ..... 189, and I do certify that I am personally acquainted with ..... the said ..... and know that ..... he is a credible person and entitled ..... that I have no interest ..... in the Courts of the State of ..... and that I have no interest ..... in a pecuniary point of view in said claim for Cherokee Indian citizenship, nor do I expect ..... by reason of marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ..... Esq., whose name is signed to the foregoing certificate ..... Justice of the Peace in and for said county and State, duly commissioned and sworn, that to his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this 17 day of ..... 1890.

..... Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

... To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF ...
COUNTY OF ...

On this the ... day ..., A. D., 189..., personally before me ...
... a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared ... aged ... years, a resident of ... county, and State of ..., whose postoffice is ..., who after being duly sworn according to law, says that he is ... Indian by ... and a claim and for ... Indian citizenship. Affiant further says on oath ...

... and direct lineal descendant of the ... family, whose name he believes appears upon the records, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said ... to be of Cherokee ... and were members of the ... to be of Indians.

Affiant further says he has been taught and has in his earliest youth that he is a descendant ... Indian family and that affiant has been recognized and treated by his neighbors ... as such, and generally as a member of ... Indian blood and that from his complexion and physical ... he is of the belief that he is of ... Indian blood ... and Cherokee and at least one ... Indian by blood. Affiant further says the above statements are true to the best of his knowledge and belief.

...

Sworn to and sworn to before me, this ... day of ..., A. D. 189..., and I further certify that the foregoing affidavit was read to affiant by me in my presence. That said affiant is to me personally known or has been satisfactorily identified before me) and I verily believe him to be a credible person.

...

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the state aforesaid, personally appeared William Price, [illegible] years a resident of Ashe county, State of North Carolina, whose postoffice address is Weavesford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C. Said Sizemore had come from the home of the Cherokee tribe in Western N. C., or East [illegible] several years prior to the time affiant first knew; that he often went back to where said tribe was [illegible] affiant first knew him last lived, made his home in Ashe county, N. C., where he died [illegible] said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydda Blevins had several children among daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

Signed M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th. day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbor and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevines and who was the mother of James, Eli, George, Wells Blevins from whom have sprang a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Green Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HUMES, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim [illegible]
Cherokee Strip Live Stock Association

INDIAN TERRITORY,
Cherokee Nation.

On this, the 23rd day of [illegible] 1896, before me, [illegible] proved to me to be the person [illegible] Northern District [illegible] Nations, I. T., [illegible] The [illegible] the Cherokee [illegible] [illegible] [illegible]

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Fleetwood, in said County, and that he is personally acquainted with Lee McElhaney, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Lee McElhaney is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 6 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

J. F. Baldwin

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.

W. H. Riddick Notary Public.

My Commission expires, March 7, 1900.

#2148

Roger Vlad

IN THE MATTER OF

No Summons N.C.

(Summons issued)
Filed Sept 14 1846
A. D. McCommon
Clerk

John Pleasants
Sheriff
Wake
N.C.

AFFIDAVIT OF WITNESS.

STATE OF [illegible] }
COUNTY OF [illegible] } ss.

Before me, the undersigned, a [illegible] in and for the County and State aforesaid, personally appeared William Price who after being by me duly sworn states that he is [illegible] years of age, and a citizen of [illegible] County, and State of [illegible] and that he is personally acquainted with [illegible] who is an applicant for citizenship in the [illegible] Nation, I. T., and affiant further states that the said [illegible] is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said [illegible] is [illegible] who was a son of Lydia [illegible]

Affiant further states that he has known the said [illegible] for the past [illegible] years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having [illegible] Indian blood, and that the complexion, physical appearance, habits and manners of the said [illegible] indicate that the said [illegible] That from the above facts and circumstances and from statements made to him by the said [illegible] affiant states he has every reason to believe and does believe that the said [illegible] is of [illegible] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said [illegible] for citizenship in the [illegible] Nation, I. T., and that he is not related to said [illegible] by marriage to the said [illegible]

Attest, [illegible] William X Price
mark

Sworn to and subscribed before me, this [illegible] day of [illegible] A. D. 189[illegible] and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and of truth and veracity

[illegible]

My commission expires on the [illegible] day of [illegible] 189[illegible]

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that [illegible] Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this [illegible] day of [illegible] 1896

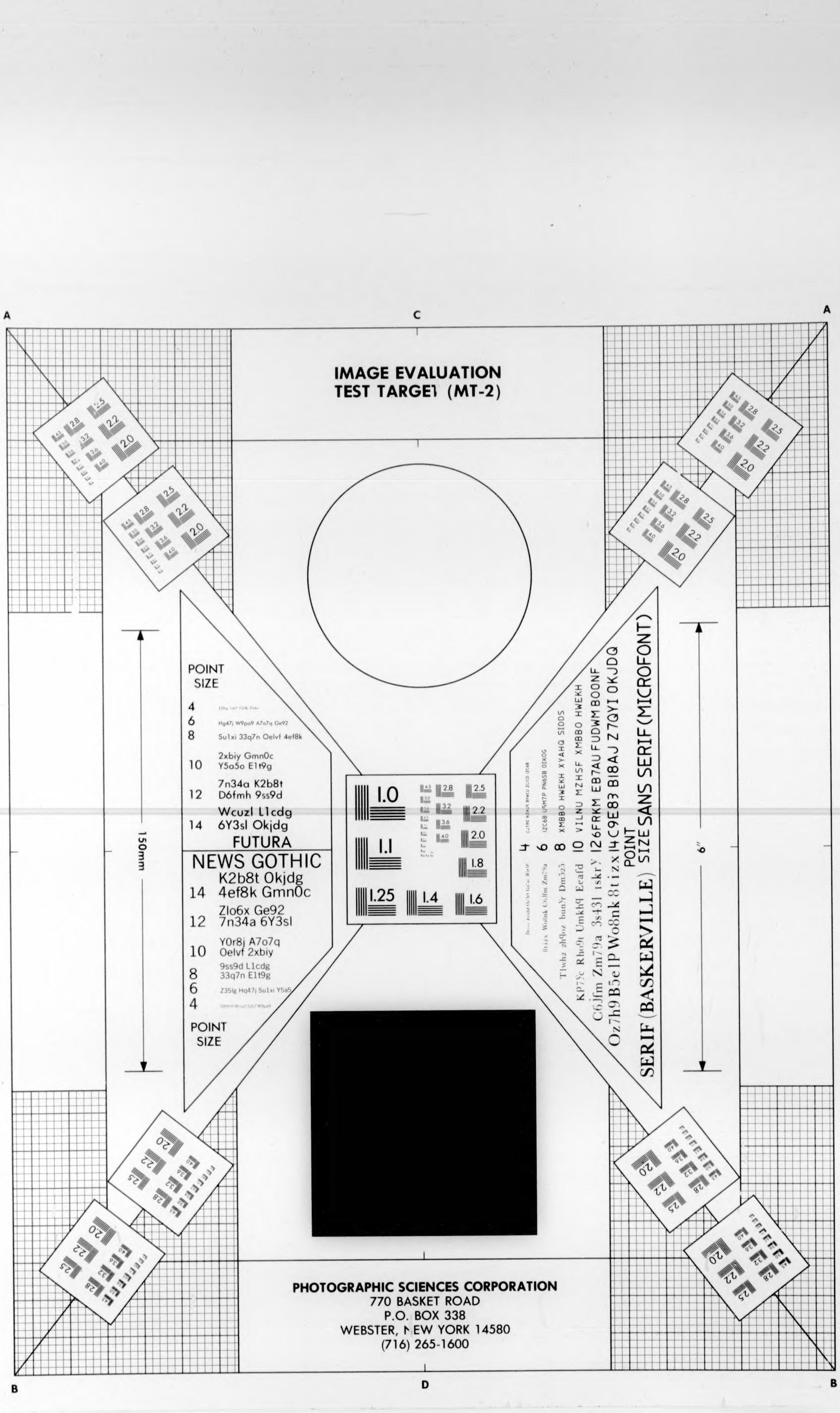
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Clerk Superior Court

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770 BASKET ROAD
P.O. BOX 338
WEBSTER, NEW YORK 14580
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